LYON COUNTY BOARD OF COUNTY COMMISSIONERS
THURSDAY, DECEMBER 07, 2023
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 Irene Albritton of the First Christian 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 9:10 AM: For Report Only: Update from Smith Valley Fire Chief Matthew Nightingale.

6.b. For Time Certain at 9:20 AM: For Report Only: Presentation by the Nevada Department of Transportation regarding the future US 50 Dayton project.

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 October Statistics
- October 2023 Statistics Report

9.b. For Report Only: Dayton Justice Court Statistics Reporting
- Criminal and Civil October Statistics

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: Approve changes to Assessor's tax roll
- Secured Factual Corrections

12.b. For Possible Action: Approve the November 16th, 2023 minutes.
- November 16, 2023 Minutes

12.c. For Possible Action: Review and accept travel claims.
- Travel Report November 1, 2023 to November 15, 2023

12.d. For Possible Action: Review and accept claims and financial reports.
- Claims Report November 1, 2023 to November 15, 2023
- Cash Report November 15, 2023

12.e. For Possible Action: Approval to RELEASE the 10% MAINTENANCE BOND for the RIVERPARK DUNES 3 Subdivision and ACCEPT the OFFER OF DEDICATION for those portions of Teakwood Road and Saguaro Road, shown on the Final Subdivision Map for Riverpark Dunes 3, for county maintenance.
- Staff Report

12.f. For Possible Action: Approve Indigent Defense Conflict Counsel Agreement with Silver State Law.
- Silver State Law Contract January 1, 2024

12.g. For Possible Action: Approve a revised Lyon County Department of Transportation (DOT) Drug and Alcohol Testing Policy
- DOT Drug and Alcohol Testing Policy

13. PUBLIC HEARING ON PLANNING ITEMS - *(ACTION WILL BE TAKEN ON ALL ITEMS)*

13.a. For Possible Action: Approve a Street Name request (Buckaroo Lane) from Wendy Wilson to name an existing unnamed street west of Mason Pass Road, and south Kass Lane, Yerington, NV (APN: 014-281-16) PLZ-2023-070.
- Staff Report
- Backup

13.b. For Possible Action: Approve a Conditional Use Permit request from NV Energy to construct and operate a Power Substation and Power Transmission Lines, 60kV or greater on portions of three parcels totaling 343.1 acres, located approximately 2,600 feet to the east of the intersection of US Route 95 and Sierra Way, in the HI-R (Heavy Industrial - Rural) and LI-R (Light Industrial - Rural) zoning districts in Mason Valley (APNs: 014-091-09, -10, -11) PLZ-2023-052.
- Staff Report
- Backup

13.c. For Possible Action: Approve a Master Plan Amendment request from Michael A. and Claudia C. Casey to amend the Master Plan designation from Mixed-Use to Suburban Residential for 17 parcels

totaling 10.35-acres generally located on the west side of US 95A between Idaho Avenue and Spruce Avenue in Silver Springs (APNs 018-415-16, -17, -18, -19, -20; 018-415-24, -25, -26, -27, -28, -29, -30, -31, -32, -33, -34, -35) PLZ-2023-055.

- Staff Report
- Backup

13.d. For Possible Action: Approve a Zoning Map Amendment request from Michael A. and Claudia C. Casey to amend the Zoning Map designation from the Title 10 districts of C-1 (Limited Commercial – Title 10) and C-2 (General Commercial –Title 10) to the Title 15 district of SR-1/2 (Suburban Residential – 1/2 acre minimum) for 10 parcels totaling 7.38-acres with parcels generally located on the west side of US 95A between Idaho Avenue and Spruce Avenue in Silver Springs (APNs 018-415-16, -17, -18, -19, -20; 018-415-24, -25, -26, -27, -28) PLZ-2023-56.

- Staff Report
- Backup

13.e. For Possible Action: Approve a Conditional Use Permit request from Steven Cruz to allow a new modular scale house building, electric weigh scales, and portable restrooms at an existing aggregate pit operation on an approximately 137.35-acre site comprised of two parcels located approximately 5,700 feet to the northwest of the intersection of Enterprise Way and E. Highway 50, at 3750 E. Highway 50 in Dayton (APNs 016-401-74, 75) PLZ-2023-068.

- Staff Report
- Backup

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

14. Community Development

14.a. For Possible Action: Propose an ordinance amending Lyon County Code Title 15- Land Use and Development Code related to Accessory Dwelling Units; Chapter 15.335.03.A and other matters properly related thereto.

- Title 15 Land Use Tiny Homes Draft Ordinance with Track Changes
- Tiny Homes Code Amendment Staff Report
- Senate Bill 150 EN Tiny Houses
- January 20, 2022 BOCC Minutes

15. Comptroller

15.a. For Possible Action: Convert two temporary Work Crew Coordinator positions in Juvenile Probation into two part-time positions at 15 hours per week and set the salary range for the Work Crew Coordinator position at the A2 pay range.

15.b. For Possible Action: Consider estimated costs for a full remodel of the Mound House Community Center and determine whether to allocate additional funding or to reduce the scope and funding for the project.

- Mound House Community Center Remodel - Revised Budget Narrative

15.c. For Possible Action: Approve a reallocation of American Rescue Plan Act (ARPA) funding between the existing projects to fund the Fernley Justice Court Expansion and Remodel.

- ARPA Allocations as of September 30, 2023

15.d. For Possible Action: Approve revisions to the Comprehensive Safety Policies and Procedures.
- Lyon County Comprehensive Safety Policies and Procedures

16. Roads

16.a. For Possible Action: Approve an offsite improvement agreement between Lyon County and Stanley Lucas, for Stanley Lucas to make improvements in NDOT right of way, including the construction of a traffic signal at US 50 and Traditions Parkway, related to the Traditions Subdivision and authorize the County to make application, with the landowner responsible for all costs, construction and maintenance until the improvements are accepted by Lyon County or NDOT for maintenance and authorize the County Manager to sign.
- Traditions Signal LC Development Agreement

16.b. For Discussion and Possible Action: Provide direction to staff regarding Miller Lane, Aiazzi Lane & Pete Henrichs Road, discussion to include safety concerns and alternatives for speed limits.

17. Utilities

17.a. For Possible Action: Approve a contract with Walker Lake Disposal for an amount not to exceed $99,900 for biosolids hauling services from the Rolling A Wastewater Treatment Plant to the Lockwood and Carson City Landfills, with funding coming from the Dayton Sewer Fund (David Bruketta).
- 2024 Biosolids Hauling Contract
- Rate Comparison

18. Advisory Board

18.a. For Possible Action: Appoint up to two members to the Central Lyon County Park Advisory Board with terms expiring December 31, 2024.
- Kathryn Ataman, Application

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

Lyon County Board of County Commissioners Agenda Summary

Meeting Date: December 7, 2023

Agenda Item Number:
6.a

Subject:
Time Certain at 9:10 AM: For Report Only: Update from Smith Valley Fire Chief Matthew Nightingale.

Summary:

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:

ATTACHMENTS

-

Lyon County Board of County Commissioners Agenda Summary

Meeting Date: December 7, 2023

Agenda Item Number:
6.b

Subject:
For Time Certain at 9:20 AM: For Report Only: Presentation by the Nevada Department of Transportation regarding the future US 50 Dayton project.

Summary:

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:

ATTACHMENTS

-

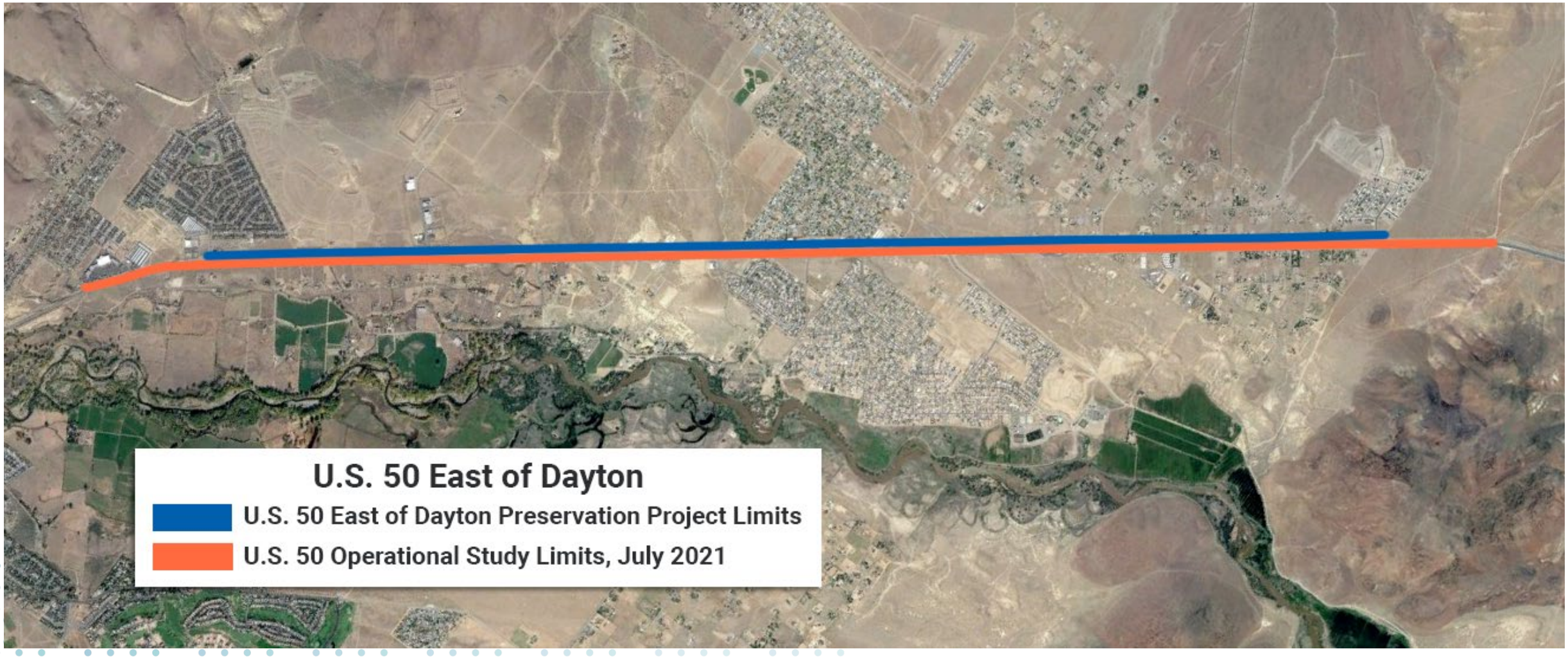


U.S. 50 East of Dayton Preservation Project

Lyon County Commission Meeting

12/7/2023

Study Area Map & Project Limits Map



U.S. 50 East of Dayton Preservation Project Map





Changes to proposed improvements

- Based on NDOT's speed study and the Board's feedback, the project scope has changed.
- There will be no speed limit changes at this time. The posted speed limit will remain at 60 MPH east of Fortune Drive.
- As part of the project, speed-management countermeasures will include two new traffic signals and median installations near intersections, which will help improve safety.

NEVADA DOT
SAFE AND CONNECTED





PROJECT FEATURES

1. Safer, signalized intersections at Cardelli Road/River Boat Road and Six Mile Canyon Road/Fort Churchill Road
2. Maintain 12’ travel lanes
3. Median installation at intersections for access control
4. Access controls to include High-T intersections as appropriate
5. No roadway widening or new travel lanes

NEVADA DOT
SAFE AND CONNECTED



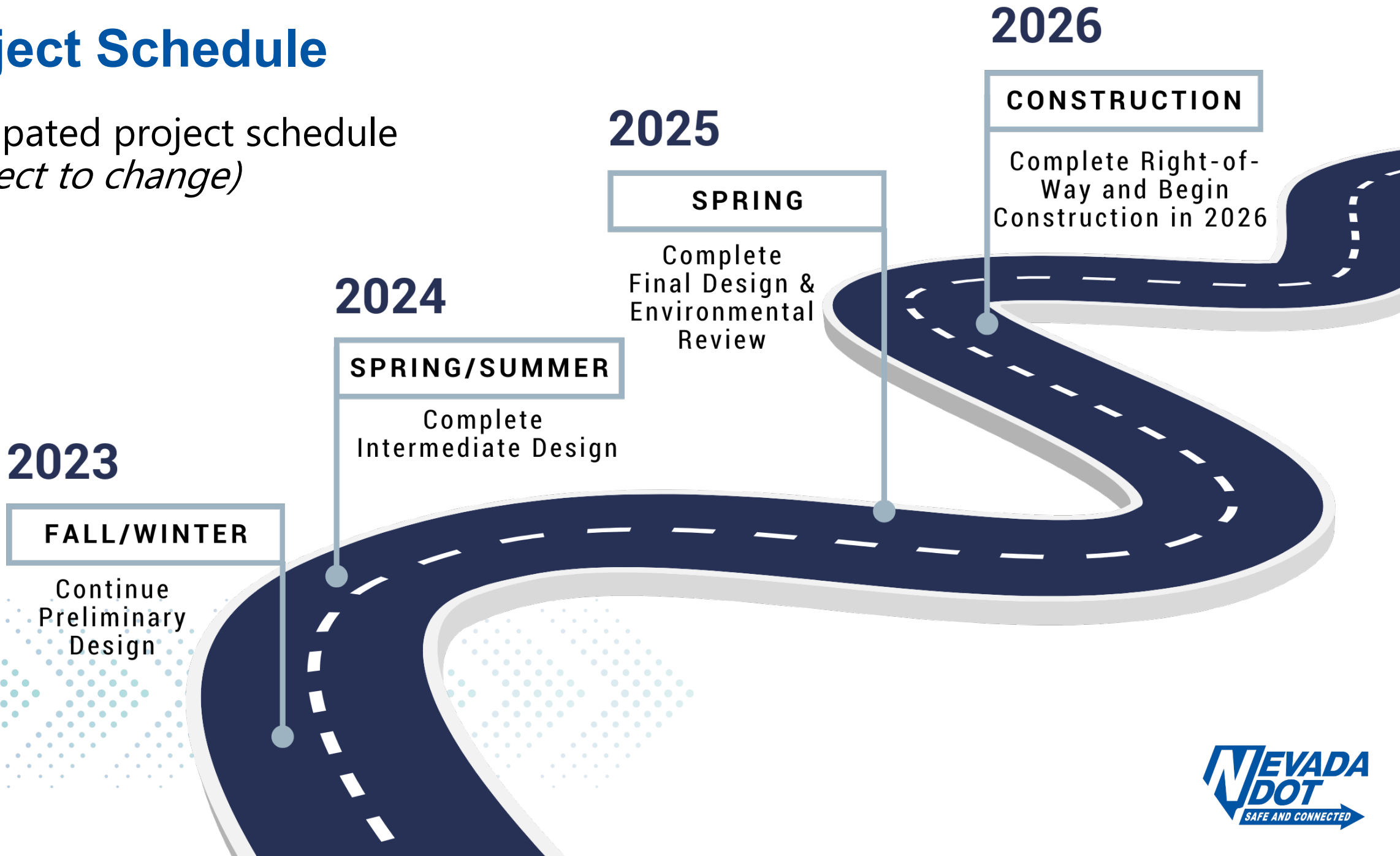
Future Improvements

- Future improvements to the highway through this area to consider:
  - Controlled access alternative
  - Separation of local and through traffic
  - Additional surface streets for local connections
  - Coordination with Lyon County, CAMPO and Dayton to plan and construct these improvements

NEVADA DOT
SAFE AND CONNECTED

Project Schedule

Anticipated project schedule
(Subject to change)



Public Outreach

- Public information meetings will be held for the project. Notices will be sent out prior to those outreach activities.

- Public outreach will also include website updates, virtual outreach, social media updates, e-blasts to stakeholders, mailers, and Spanish-language outreach.

Questions?

NDOT U.S. 50 East of Dayton Preservation Project Lead

Pedro Rodriguez, P.E., CPM

NDOT Assistant Chief Project Management
Office: (775) 888-7320
Email: prodriguez@dot.nv.gov


NEVADA
DOT
SAFE AND CONNECTED

Lyon County Board of County Commissioners Agenda Summary

Meeting Date: December 7, 2023

Agenda Item Number:
9.a

Subject:
For Report Only: Canal Township Justice Court October Statistics

Summary:

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:

ATTACHMENTS
- October 2023 Statistics Report

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: November 15, 2023

Subject: October 2023 Statistics for Canal Township Justice Court

Attached please find the October 2023 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.

Clerk's Report to Auditor of Costs and Fees Collected

Approved by State Board of Accounts for LYON County - 2023

To Auditor of LYON County, NEVADA
Collecting for Period: 09/29/2023 thru 10/31/2023

Account	Prior Collections	Collections This Period	Year To Date Collections
3F - TOWN FINE	0.00	0.00	0.00
3F AA FEE - GENETIC #(30255)	210.00	57.00	267.00
3F AA FEE - JUSTICE #(30043)	455.00	150.00	605.00
3F AA FEE - JUVENILE #(30048)	130.00	44.00	174.00
3F AA FEE - STATE (A #(30428)	0.00	0.00	0.00
3F AA FEE - STATE (G #(30430)	3,130.00	941.00	4,071.00
3F ALCOHOL DETECTION #(10107)	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)	3,475.00	1,300.00	4,775.00
3F BAILIFF FEES #(10102)	2,720.00	1,353.00	4,073.00
3F BOND FILING FEE V #(30434)	350.00	225.00	575.00
3F BOND PROCESSING F #(10097)	262.50	168.75	431.25
3F CENSUS FEE #(30427)	194.00	90.00	284.00
3F CHEMICAL ANALYSIS #(10108)	210.00	145.00	355.00
3F CIVIL FEES #(10097)	11,156.25	5,081.25	16,237.50
3F CIVIL FEES - COUR #(30042)	4,694.25	2,010.50	6,704.75
3F CIVIL PENALTY #(10097)	0.00	0.00	0.00
3F COLLECTION FEE #(10097)	0.00	0.00	0.00
3F COUNTY FINE #(10099)	909.00	500.00	1,409.00
3F COURT FACILITY FE #(30044)	695.00	180.00	875.00
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)	2,619.00	1,320.00	3,939.00
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)	2,290.31	767.53	3,057.84
3F PENALTY FEE #(10097)	0.00	0.00	0.00
3F PREVENTION/TREATM #(10098)	1,940.00	900.00	2,840.00
3F SERVICE FEES TO SHERIFF'S OFFICE	0.00	0.00	0.00
3F SMALL CLAIMS FEE #(10097)	454.75	82.50	537.25
3F SPECIALTY COURT F #(30428)	490.00	128.00	618.00
3F STATE CONTRACTORS BOARD COURT COSTS	0.00	0.00	0.00
3F STATE PERMANENT S #(30613)	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:	36,385.06	15,443.53	51,828.59

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

Clerk's Report to Auditor of Costs and Fees Collected

Approved by State Board of Accounts for LYON County - 2023

To Auditor of LYON County, NEVADA
Collecting for Period: 09/29/2023 thru 10/31/2023

Account	Prior Collections	Collections This Period	Year To Date Collections
3F DOMESTIC VIOLENCE #(30429)	35.00	0.00	35.00
Totals:	35.00	0.00	35.00

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.

Martha Tapia

CLERK OF THE FERNLEY JUSTICE COURT -
CANAL TOWNSHIP COURT

CLERK'S REPORT TO AUDITOR OF COSTS AND FEES
COLLECTED FROM GLOBAL JUSTICE SOLUTIONS

To Auditor of LYON COUNTY, NEVDA

Collecting for Period: **October 1, 2023 to October 31, 2023**

Account	Acct. #		Prior Collections	Collections this Period	YTD Collections
AA FEE - JUSTICE	30043		$1,953.00	$525.00	$2,478.00
AA FEE - JUVENILE	30048		$558.00	$150.00	$708.00
AA FEE - STATE AOC	30428				$0.00
AA FEE - STATE (GENERAL)	30430		$13,689.00	$4,245.00	$17,934.00
CIVIL PENALTIES COUNTY	10097		$26,210.00	$7,399.00	$33,609.00
COURT FACILITY FEE	30044		$2,770.00	$755.00	$3,525.00
GENETIC MARKER ANALYSIS	30255		$831.00	$225.00	$1,056.00
SPECIALTY COURT FEE	30428		$1,939.00	$525.00	$2,464.00
CIVIL PENALTIES COUNTY	10097				
COMMUNITY SERVICE FEE	10097				
PAYMENT PLAN FEE	10097				
COLLECTION FEE	10179				
DEMERIT RED. FEE - COUNTY	10180				
DEMERIT RED. FEE - STATE	10183				
Totals:			$47,950.00	**$13,824.00**	$61,774.00

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.

Martha Tapia

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: 10/1/2023 TO 10/31/2023
J031101 - FERNLEY JUSTICE COURT - CANAL TOWNSHIP

Number of cases in which court costs, fees, and fines were assessed during the reporting period:	151

Court Fines and Fees

	Dollar Amount	Percent of Assessed
Dollar amount assessed:	$17,465.53	
Dollar amount collected:	$5,215.00	29.86%
Dollar amount waived/suspended:	$10.00	0.06%
Dollar amount of jail time served credit given:	$1,895.00	10.85%
Dollar amount of community service credit given:	$0.00	0.00%
Total of collections, waived and credited amounts:	$7,120.00	40.73%

	Dollars Collected	Percentage Collected
0-30 Days:	$3,890.00	74.59%
31-60 Days:	$700.00	13.42%
61-90 Days:	$210.00	4.03%
91-120 Days:	$0.00	0.00%
Over 120 Days:	$415.00	7.96%
Total:	**$5,215.00**	**100.00%**

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

Data Date: 10/31/2023, 3:52:18PM
Report name: MAS Monthly Collection and Aging.rpt

Days Outstanding	Amount Owed	Amount Outstanding	Percentage Outstanding
0-30 Days:	$2,285.00	$2,110.00	2.64%
31-60 Days:	$660.00	$610.00	0.76%
61-90 Days:	$2,245.00	$1,365.00	1.71%
91-120 Days:	$885.00	$720.00	0.90%
Over 120 Days:	$84,188.00	$75,112.05	93.99%
Total:		**$79,917.05**	**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.

Data Date: 10/31/2023, 3:52:18PM
Report name: MAS Monthly Collection and Aging.rpt

CANAL TOWNSHIP JUSTICE COURT
STATISTICS FY 23/24

TOTAL FINES AND FEES COLLECTED	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
Fines and Fees	$13,325.06	$12,540.00	$10,520.00	$15,443.53									$51,828.59
Domestic Violence Fees	$35.00	$0.00	$0.00	$0.00									$35.00
Civil Infractions	$19,640.00	$17,050.00	$11,260.00	$13,824.00									$61,774.00

CASELOAD COUNT BY AGENCY	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
Lyon County District Attorney	23	16	29	15									83
Lyon County Sheriff's Department	23	17	16	15									71
Nevada Highway Patrol	19	9	29	39									96
Department of Wildlife	0	0	0	0									0
Gaming Control Board	0	0	0	0									0
TOTAL CASE COUNT BY AGENCY	65	42	74	69	0	0	0	0	0	0	0	0	250

CASE TYPES	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
Criminal Cases	49	31	46	33									159
Traffic Cases	16	11	28	36									91
General Civil	22	23	31	34									110
Summary Eviction	34	31	36	48									149
Protective Orders	22	17	20	15									74
Small Claims	2	1	2	4									9
Civil Traffic Infractions	69	39	37	51									196
TOTAL CASE TYPES	214	153	200	221	0	0	0	0	0	0	0	0	788

CLOSED CIVIL/CRIMINAL CASES	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
	120	303	99	99									621

OTHER - COURT ACTIVITY	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	June-24	
Remanded Cases	1	1	1	3									6
Bench Trials	2	0	0	0									2
Jury Trials	0	0	0	0									0
Search Warrant Requests	12	9	11	4									36
Probable Cause Findings	32	17	28	21									98
72 Hour-Hearings	3	2	0	1									6
Arraignment Hearings	43	38	34	38									153
Preliminary Hearings	2	0	0	1									3
Sentencing Hearings	22	43	17	26									108
Revocation Hearings	0	0	0	0									0

CANAL TOWNSHIP JUSTICE COURT
STATISTICS FY 23/24

CASE TYPE - FELONY	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	3	4	2	3									12
Domestic Violence	2	0	0	0									2
Elder Abuse	0	0	0	0									0
Child Abuse and Neglect	0	0	0	0									0
Protection Order Violation	0	0	0	0									0
Crimes Against Property	5	2	8	3									18
Drugs	5	2	0	4									11
Weapons	0	1	0	1									2
Motor Vehicle - DUI	0	0	0	0									0
Motor Vehicle - Reckless	0	0	0	0									0
Motor Vehicle - Other	1	1	0	0									2
Public Order	0	1	0	0									1
Other Felonies	0	0	0	3									3

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	0	0	0	0									0
Domestic Violence	0	0	0	0									0
Elder Abuse	0	0	0	0									0
Child Abuse and Neglect	0	0	0	0									0
Protection Order Violation	0	0	0	0									0
Crimes Against Property	1	2	4	1									8
Drugs	2	0	0	0									2
Weapons	0	0	0	1									1
Motor Vehicle - Other	0	0	1	0									1
Public Order	0	0	0	0									0
Other Gross Misdemeanors	0	0	1	1									2

CASE TYPE - 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
Bail Forfeitures - Traffic Citations	12	14	7	9									42
Crimes Against Persons	1	2	1	1									5
Domestic Violence	6	3	3	3									15
Elder Abuse	0	0	0	0									0
Protection Order Violation	1	0	1	2									4
Crimes Against Property	4	1	3	3									11
Drugs	8	4	6	1									19
Weapons	0	0	0	0									0
Public Order	2	1	2	1									6
Other Non-Traffic Misdemeanors	0	0	1	1									2
Motor Vehicle - DUI	0	2	1	1									4
Motor Vehicle - Reckless	0	1	0	2									3
Traffic	17	11	27	34									89
Parking	0	0	0	0									0

CANAL TOWNSHIP JUSTICE COURT
STATISTICS FY 23/24

CIVIL FILINGS	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	June-24	
Landlord/Tenant - Summary Eviction	34	31	36	47									148
Unlawful Detainer - Writs of Restitution	0	0	0	0									0
Other Real Property Case	0	0	0	1									1
Auto Negligence Case	0	0	0	0									0
Premises Liability Case	0	0	0	0									0
Other Negligence Case	0	0	0	0									0
Intential Misconduct Case	0	0	0	0									0
Other Tort Case	0	0	0	0									0
Credit Card Collection Case	21	17	29	26									93
Pay Day Loan Collection Case	0	0	0	2									2
Debt Collection Agency Case	0	0	0	0									0
Other Debt Collection Agency Case	1	3	2	3									9
Contract Buyer/Plaintiff Case	0	2	0	1									3
Other Contract Case	0	1	0	2									3
Contested Liens Case	0	0	0	0									0
Petition to Seal Records	0	0	0	0									0
Other Civil Matters	0	0	0	0									0
Small Claims Case	2	1	2	3									8
Request for DV Protection Order	11	5	8	5									29
Request for Protection Order (Non-DV)	11	12	12	10									45
Civil Writs (Related to an Existing Case)	14	9	4	21									48
Remitted/Remanded Civil Cases	0	0	0	0									0
Jury Trials	0	0	0	0									0
Non-Jury Bench Trials	0	4	6	6									16
Satisfaction of Judgment	1	4	3	5									13
Inmate Requests/Filings	0	0	0	0									0
Contempt and Preliminary Injunctions	0	0	0	0									0
Renewal of Judgment	3	7	0	3									13
Sexual Assault Protection Order	0	0	0	0									0
Extended DV Protection Orders Granted	0	2	0	3									5
Extended DV Protection Orders Denied	2	6	2	0									10
Extended DV Protection Orders Other	2	0	1	1									4
Extended Protection Orders (non-DV)Granted	3	4	2	2									11
Extended Protection Orders (non-DV)Denied	10	1	7	2									20
Extended Protection Orders (non-DV)Other	1	1	0	1									3
Order to Seal Records	0	1	0	0									1

Lyon County Board of County Commissioners Agenda Summary

Meeting Date: December 7, 2023

Agenda Item Number:
9.b

Subject:
For Report Only: Dayton Justice Court Statistics Reporting

Summary:

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:

ATTACHMENTS

- Criminal and Civil October Statistics

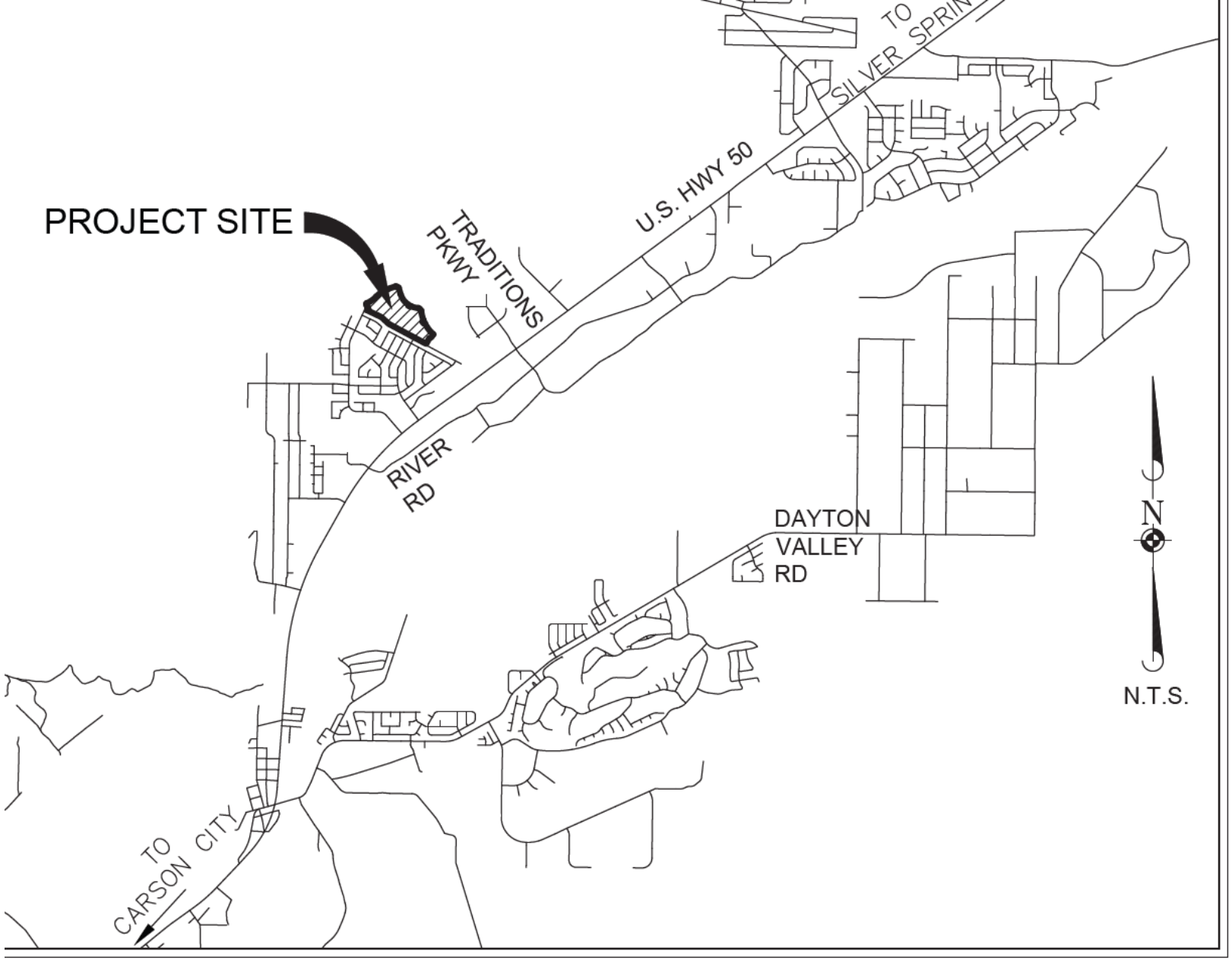
Community Development Department

Final Map Recordation Report

November 2023

Traditions: Village 1 - Phase 2

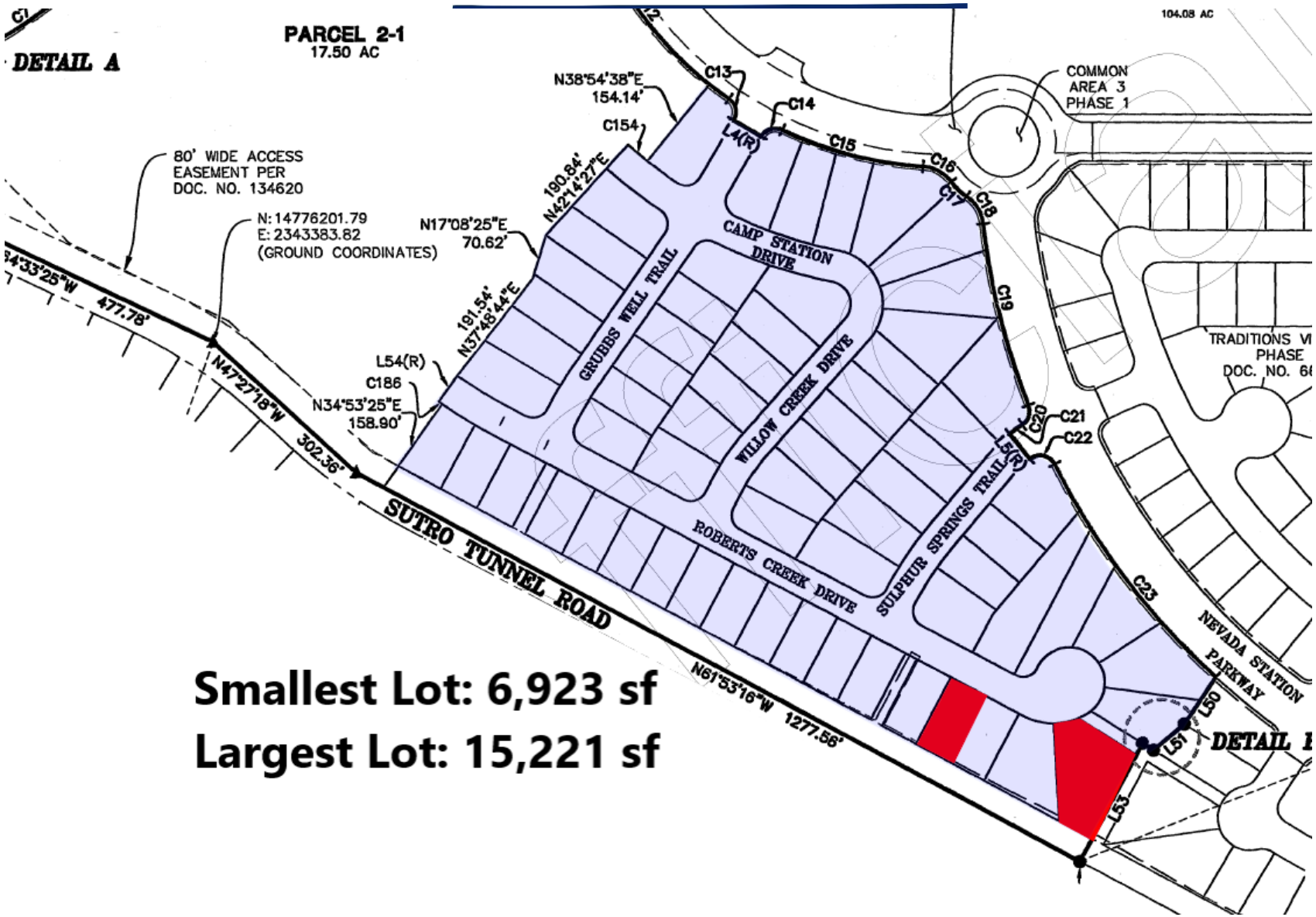
Datyon
north of Hwy 50, west of Traditions Parkway



VICINITY MAP

Image from Manhard Consulting Inc. -Final Map submittal

Datyon
north of Hwy 50, west of Traditions Parkway

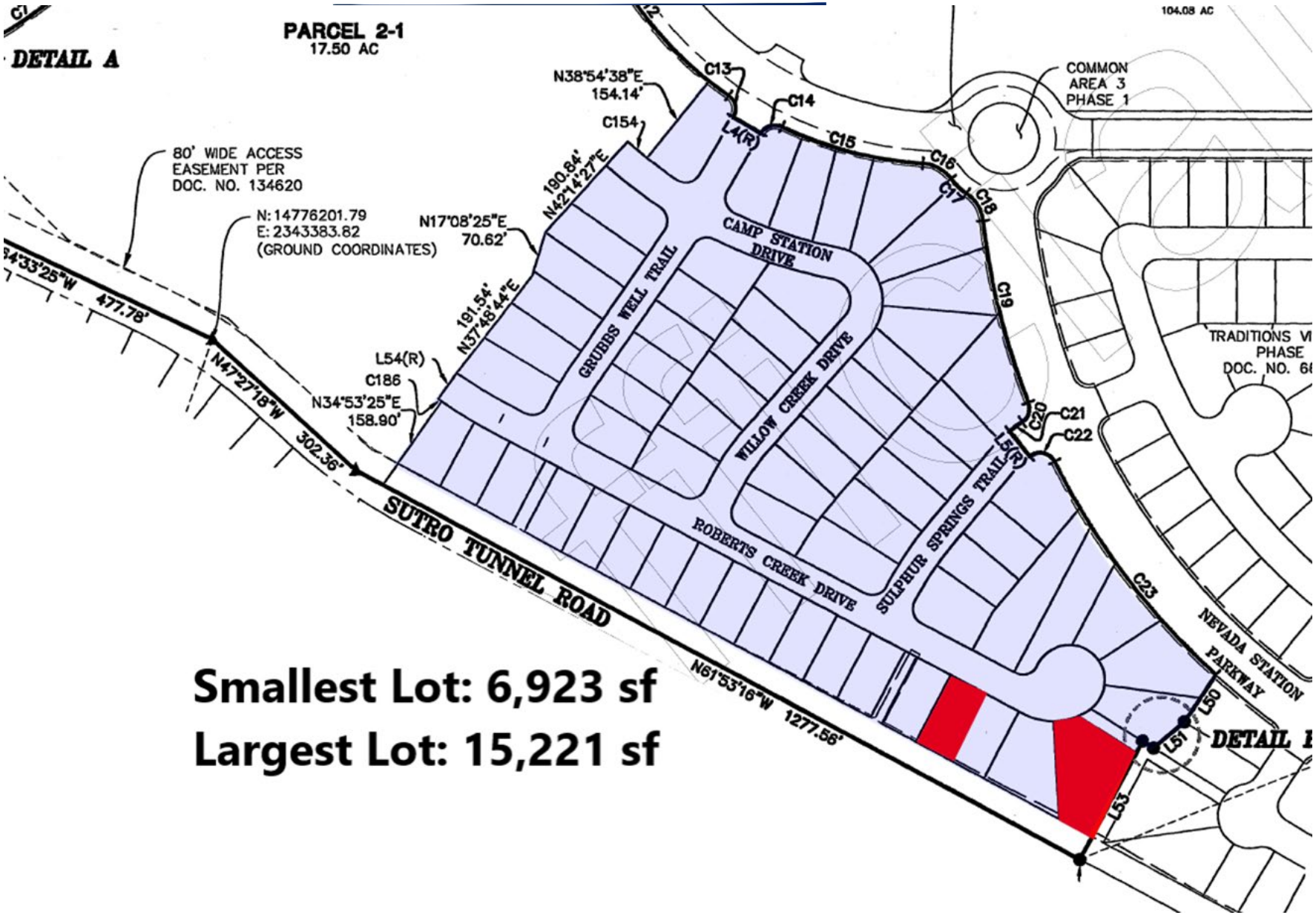


Smallest Lot: 6,923 sf
Largest Lot: 15,221 sf

65
SFR Lots

Average of 8,913 sf

Recorded on 11/28/23



Nevada Trial Courts

Criminal Statistics Reporting
Caseload Worksheet

Court: DAYTON JUSTICE COURT **Court ID:** J031102

Date: 10/1/2023 - 10/31/2023

Felony Case Types (Dictionary, p.1-5)

Criminal Caseload (Dictionary p. 10-13)	Crimes Against Persons	Domestic Violence	Older/Vulnerable Person(s) Abuse	Child Abuse and Neglect	Protection Order Violation	Crimes Against Property	Drugs	Weapons	Public Order	Motor Vehicle - DUI	Motor Vehicle - Reckless Driving	Motor Vehicle - Other	Other Felony
1. Begin Pending													
a. Active	5	0	0	1	1	10	14	2	0	1	0	2	2
b. Inactive	8	1	0	0	1	19	5	0	2	1	0	0	1
2. New Filings	0	0	0	0	0	3	2	1	0	0	0	0	0
a. Charges	0	0	0	0	0	3	3	4	0	0	0	0	0
3. Reopened	0	0	0	0	0	0	0	0	0	0	0	0	0
4. Reactivated	0	0	0	0	0	2	2	0	0	0	0	0	0
5. Disposition (Entry of Judgment)													
a. Original	1	0	0	1	0	4	6	0	0	0	0	1	0
b. Reopened	0	0	0	0	0	0	0	0	0	0	0	0	0
6. Placed on Inactive Status	0	0	0	0	0	0	1	0	0	0	0	0	0
7. End Pending													
a. Active	4	0	0	0	1	11	11	3	0	1	0	1	2
b. Inactive	8	1	0	0	1	17	4	0	2	1	0	0	1
8. Set for Judicial Review	0	0	0	0	0	0	1	0	0	0	0	0	0
9. Age of Active Pending Caseload													
i. Original. 0-90 days	0	0	0	0	1	7	5	1	0	0	0	1	1
ii. Original. 91-180 days	0	0	0	0	0	0	1	0	0	0	0	0	1
iii. Original. 181-365 days	2	0	0	0	0	2	3	0	0	1	0	0	0
iv. Original. > 365 days	2	0	0	0	0	2	2	0	0	0	0	0	0
v. Reopened. 0-60 days	0	0	0	0	0	0	0	0	0	0	0	0	0
vi. Reopened. 61-180 days	0	0	0	0	0	0	0	0	0	0	0	0	0
vii. Reopened. > 180 days	0	0	0	0	0	0	0	2	0	0	0	0	0
10. Time to Disposition													
a. Original. Mean Number of days	408	0	0	258	0	166	195	0	0	0	0	231	0
b. Original. Median Num. of days	408	0	0	258	0	164	206	0	0	0	0	231	0
c. Reopened. Mean Num. of days	0	0	0	0	0	0	0	0	0	0	0	0	0
d. Reopened. Median Num. of days	0	0	0	0	0	0	0	0	0	0	0	0	0
11. Self-Represented Litigants	0	0	0	0	0	0	0	0	0	0	0	0	0

Nevada Trial Courts

Criminal Statistics Reporting
Caseload Worksheet

Court: DAYTON JUSTICE COURT **Court ID:** J031102

Date: 10/1/2023 - 10/31/2023

Gross Misdemeanor Case Types (Dictionary, p.1-5)

Criminal Caseload (Dictionary p. 10-13)	Crimes Against Persons	Domestic Violence	Older/Vulnerable Person(s) Abuse	Child Abuse and Neglect	Protection Order Violation	Crimes Against Property	Drugs	Weapons	Public Order	Motor Vehicle - Other	Other Gross Misdeamors
1. Begin Pending											
a. Active	2	0	0	0	1	1	1	1	0	0	1
b. Inactive	2	0	0	0	4	6	0	0	0	0	0
2. New Filings	0	0	0	0	0	1	0	0	0	0	0
a. Charges	0	0	0	0	0	2	0	1	0	0	0
3. Reopened	0	0	0	0	0	0	0	0	0	0	0
4. Reactivated	0	0	0	0	0	0	0	0	0	0	0
5. Disposition (Entry of Judgment)											
a. Original	0	0	0	0	0	0	0	1	0	0	0
b. Reopened	0	0	0	0	0	0	0	0	0	0	0
6. Placed on Inactive Status	0	0	0	0	0	0	0	0	0	0	0
7. End Pending											
a. Active	2	0	0	0	1	2	1	0	0	0	1
b. Inactive	2	0	0	0	4	6	0	0	0	0	0
8. Set for Judicial Review	0	0	0	0	0	0	0	0	0	0	0
9. Age of Active Pending Caseload											
i. Original. 0-90 days	1	0	0	0	0	1	1	0	0	0	0
ii. Original. 91-180 days	1	0	0	0	0	0	0	0	0	0	0
iii. Original. 181-365 days	0	0	0	0	1	0	0	0	0	0	1
iv. Original. > 365 days	0	0	0	0	0	0	0	0	0	0	0
v. Reopened. 0-60 days	0	0	0	0	0	0	0	0	0	0	0
vi. Reopened. 61-180 days	0	0	0	0	0	0	0	0	0	0	0
vii. Reopened. > 180 days	0	0	0	0	0	1	0	0	0	0	0
10. Time to Disposition											
a. Original. Mean Number of days	0	0	0	0	0	0	0	422	0	0	0
b. Original. Median Num. of days	0	0	0	0	0	0	0	422	0	0	0
c. Reopened. Mean Num. of days	0	0	0	0	0	0	0	0	0	0	0
d. Reopened. Median Num. of days	0	0	0	0	0	0	0	0	0	0	0
11. Self-Represented Litigants	0	0	0	0	0	0	0	0	0	0	0

Nevada Trial Courts

Criminal Statistics Reporting
Caseload Worksheet

Court: DAYTON JUSTICE COURT **Court ID:** J031102

Date: 10/1/2023 - 10/31/2023

Misdemeanor, Traffic, and Civil Infraction Case Types (Dictionary, p.1-5)

Criminal Caseload (Dictionary p. 10-13)	Crimes Against Persons	Domestic Violence	Older/Vulnerable Person(s) Abuse	Protection Order Violation	Crimes Against Property	Drugs	Weapons	Public Order	Motor Vehicle - DUI	Motor Vehicle - Reckless Driving	Other Misdemeanor	Traffic Misdemeanor	Traffic Civil Infraction	Parking	Other Civil Infraction
1. Begin Pending															
a. Active	17	18	0	7	24	38	4	12	32	7	31	603	0	0	0
b. Inactive	9	13	0	6	22	16	0	9	25	1	8	81	0	0	0
2. New Filings	1	2	0	1	4	2	1	2	8	1	1	38	0	0	0
a. Charges	1	2	0	1	4	3	2	2	9	2	2	66	0	0	0
3. Reopened	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4. Reactivated	0	1	0	0	1	2	0	0	1	0	0	4	0	0	0
5. Disposition (Entry of Judgment)															
a. Original	3	0	0	0	1	4	0	1	2	1	1	34	0	0	0
b. Reopened	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
6. Placed on Inactive Status	0	1	0	0	2	1	0	0	0	1	1	4	0	0	0
7. End Pending															
a. Active	15	20	0	8	26	37	5	13	39	6	30	607	0	0	0
b. Inactive	9	13	0	6	23	15	0	9	24	2	9	81	0	0	0
8. Set for Judicial Review	0	0	0	0	0	0	0	0	2	0	0	0	0	0	0
9. Age of Active Pending Caseload															
i. Original. 0-90 days	2	9	0	2	7	6	1	5	20	3	5	54	0	0	0
ii. Original. 91-180 days	0	8	0	0	3	10	2	0	6	1	4	27	0	0	0
iii. Original. 181-365 days	5	2	0	4	6	12	1	0	6	1	8	27	0	0	0
iv. Original. > 365 days	7	1	0	2	10	9	1	8	5	1	13	493	0	0	0
v. Reopened. 0-60 days	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
vi. Reopened. 61-180 days	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
vii. Reopened. > 180 days	1	0	0	0	0	0	0	0	2	0	0	6	0	0	0
10. Time to Disposition															
a. Original. Mean Number of days	225	0	0	0	50	148	0	57	89	41	97	99	0	0	0
b. Original. Median Num. of days	204	0	0	0	50	114	0	57	89	41	97	48	0	0	0
c. Reopened. Mean Num. of days	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
d. Reopened. Median Num. of days	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11. Self-Represented Litigants	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Nevada Trial Courts

Criminal Statistics Reporting
Disposition Worksheet

Court: DAYTON JUSTICE COURT **Court ID:** J031102

Date: 10/1/2023 - 10/31/2023

Criminal Case Dispositions
(Dictionary p. 16-19)

	Felony Case Types (Dictionary, p.1-5)												
	Crimes Against Persons	Domestic Violence	Older/Vulnerable Person(s) Abuse	Child Abuse and Neglect	Protection Order Violation	Crimes Against Property	Drugs	Weapons	Public Order	Motor Vehicle - DUI	Motor Vehicle - Reckless Driving	Motor Vehicle - Other	Other Felony
Non-Trial Disposition													
Other Manner of Disposition	0	0	0	0	0	0	0	0	0	0	0	0	0
Default Judgement (Civil Infraction Only)	0	0	0	0	0	0	0	0	0	0	0	0	0
Uncontested Civil Violation (Civil Infrac. Only)	0	0	0	0	0	0	0	0	0	0	0	0	0
Bail Forfeitures	0	0	0	0	0	0	0	0	0	0	0	0	0
Nolle Prosequi (before trial)	0	0	0	0	0	0	0	0	0	0	0	0	0
Transferred (before/during trial)	0	0	0	0	0	0	0	0	0	0	0	0	0
Dismissed (before trial)	0	0	0	0	0	0	1	0	0	0	0	0	0
Guilty Pleas with Sentence (before trial)	0	0	0	0	0	0	1	0	0	0	0	0	0
Dismissed (after diversion)	0	0	0	0	0	0	0	0	0	0	0	0	0
Contested Civil Infraction													
FTA Default Judgment	0	0	0	0	0	0	0	0	0	0	0	0	0
Civil Infraction Dismissed	0	0	0	0	0	0	0	0	0	0	0	0	0
Civil Infraction Committed	0	0	0	0	0	0	0	0	0	0	0	0	0
Preliminary Hearing													
Waiver of Preliminary Hearing	0	0	0	0	0	2	2	0	0	0	0	0	0
Dismissed (during prelim.)	0	0	0	0	0	0	0	0	0	0	0	0	0
Guilty Pleas with Sentence (during prelim.)	0	0	0	0	0	0	0	0	0	0	0	0	0
Bindover	1	0	0	1	0	2	2	0	0	0	0	1	0
Total Non-Trial Dispositions	1	0	0	1	0	4	6	0	0	0	0	1	0
Trial Dispositions													
Bench Trial													
Dismissed (during trial)	0	0	0	0	0	0	0	0	0	0	0	0	0
Acquittal	0	0	0	0	0	0	0	0	0	0	0	0	0
Guilty Plea with Sentence (during trial)	0	0	0	0	0	0	0	0	0	0	0	0	0
Conviction	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Bench Trial Dispositions	0	0	0	0	0	0	0	0	0	0	0	0	0
Jury Trials													
Dismissed (during trial)	0	0	0	0	0	0	0	0	0	0	0	0	0
Acquittal	0	0	0	0	0	0	0	0	0	0	0	0	0
Guilty Plea with Sentence (during trial)	0	0	0	0	0	0	0	0	0	0	0	0	0
Conviction	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Jury Trial Dispositions	0	0	0	0	0	0	0	0	0	0	0	0	0
GRAND TOTAL DISPOSITIONS	1	0	0	1	0	4	6	0	0	0	0	1	0

Nevada Trial Courts

Court: DAYTON JUSTICE COURT **Court ID:** J031102

Date: 10/1/2023 - 10/31/2023

Criminal Statistics Reporting
Disposition Worksheet

Criminal Case Dispositions (Dictionary p. 16-19)	Gross Misdemeanor Types (Dictionary, p.1-5)										
	Crimes Against Persons	Domestic Violence	Older/Vulnerable Person(s) Abuse	Child Abuse and Neglect	Protection Order Violation	Crimes Against Property	Drugs	Weapons	Public Order	Motor Vehicle - Other	Other Gross Misdemeanor
Non-Trial Disposition											
Other Manner of Disposition	0	0	0	0	0	0	0	0	0	0	0
Default Judgement (Civil Infraction Only)	0	0	0	0	0	0	0	0	0	0	0
Uncontested Civil Violation (Civil Infrac. Only)	0	0	0	0	0	0	0	0	0	0	0
Bail Forfeitures	0	0	0	0	0	0	0	0	0	0	0
Nolle Prosequi (before trial)	0	0	0	0	0	0	0	0	0	0	0
Transferred (before/during trial)	0	0	0	0	0	0	0	0	0	0	0
Dismissed (before trial)	0	0	0	0	0	0	0	0	0	0	0
Guilty Pleas with Sentence (before trial)	0	0	0	0	0	0	0	0	0	0	0
Dismissed (after diversion)	0	0	0	0	0	0	0	0	0	0	0
Contested Civil Infraction											
FTA Default Judgment	0	0	0	0	0	0	0	0	0	0	0
Civil Infraction Dismissed	0	0	0	0	0	0	0	0	0	0	0
Civil Infraction Committed	0	0	0	0	0	0	0	0	0	0	0
Preliminary Hearing											
Waiver of Preliminary Hearing	0	0	0	0	0	0	0	1	0	0	0
Dismissed (during prelim.)	0	0	0	0	0	0	0	0	0	0	0
Guilty Pleas with Sentence (during prelim.)	0	0	0	0	0	0	0	0	0	0	0
Bindover	0	0	0	0	0	0	0	0	0	0	0
Total Non-Trial Dispositions	0	0	0	0	0	0	0	1	0	0	0
Trial Dispositions											
Bench Trial											
Dismissed (during trial)	0	0	0	0	0	0	0	0	0	0	0
Acquittal	0	0	0	0	0	0	0	0	0	0	0
Guilty Plea with Sentence (during trial)	0	0	0	0	0	0	0	0	0	0	0
Conviction	0	0	0	0	0	0	0	0	0	0	0
Total Bench Trial Dispositions	0	0	0	0	0	0	0	0	0	0	0
Jury Trials											
Dismissed (during trial)	0	0	0	0	0	0	0	0	0	0	0
Acquittal	0	0	0	0	0	0	0	0	0	0	0
Guilty Plea with Sentence (during trial)	0	0	0	0	0	0	0	0	0	0	0
Conviction	0	0	0	0	0	0	0	0	0	0	0
Total Jury Trial Dispositions	0	0	0	0	0	0	0	0	0	0	0
GRAND TOTAL DISPOSITIONS	0	0	0	0	0	0	0	1	0	0	0

Nevada Trial Courts

Criminal Statistics Reporting
Disposition Worksheet

Court: DAYTON JUSTICE COURT **Court ID:** J031102

Date: 10/1/2023 - 10/31/2023

Misdemeanor, Traffic, And Cicil Infraction Case Types (Dictionary, p.1-5)

Criminal Case Dispositions (Dictionary p. 16-19)	Crimes Against Persons	Domestic Violence	Older/Vulnerable Person(s) Abuse	Protection Order Violations	Crimes Against Property	Drugs	Weapons	Public Order	Motor Vehicle - DUI	Motor Vehicle - Reckless Driving	Other Misdemeanor	Traffic Misdemeanor	Traffic Civil Infractions	Parking	Other Civil Infractions
Non-Trial Disposition															
Other Manner of Disposition	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Default Judgement (Civil Infraction Only)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Uncontested Civil Violation (Civil Infrac. Only)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Bail Forfeitures	0	0	0	0	0	0	0	0	0	0	0	14	0	0	0
Nolle Prosequi (before trial)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Transferred (before/during trial)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Dismissed (before trial)	0	0	0	0	0	3	0	1	0	0	0	8	0	0	0
Guilty Pleas with Sentence (before trial)	2	0	0	0	1	1	0	0	2	1	1	12	0	0	0
Dismissed (after diversion)	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Contested Civil Infraction															
FTA Default Judgment	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Civil Infraction Dismissed	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Civil Infraction Committed	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Preliminary Hearing															
Waiver of Preliminary Hearing	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Dismissed (during prelim.)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Guilty Pleas with Sentence (during prelim.)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Bindover	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Non-Trial Dispositions	3	0	0	0	1	4	0	1	2	1	1	34	0	0	0
Trial Dispositions															
Bench Trial															
Dismissed (during trial)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Acquittal	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Guilty Plea with Sentence (during trial)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Conviction	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Bench Trial Dispositions	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Jury Trials															
Dismissed (during trial)	0	0	0	0	0	0	0	0	0	0	0				
Acquittal	0	0	0	0	0	0	0	0	0	0	0				
Guilty Plea with Sentence (during trial)	0	0	0	0	0	0	0	0	0	0	0				
Conviction	0	0	0	0	0	0	0	0	0	0	0				
Total Jury Trial Dispositions	0	0	0	0	0	0	0	0	0	0	0				
GRAND TOTAL DISPOSITIONS	3	0	0	0	1	4	0	1	2	1	1	34	0	0	0

Nevada Trial Courts

Criminal Statistics Reporting
Additional Statistics Worksheet

Court: DAYTON JUSTICE COURT **Court ID:** J031102

Date: 10/1/2023 - 10/31/2023

Additional Criminal Caseload Statistics (p. 5-9)

Contested Civil Infraction Hearings	0
Bench Trials	0
Jury Trials	0
DV Misd Charges (District Court Only)	

Death Penalty (Rule 250) Statistics (p. 6)

NOI to Seek Death Penalty Filed	0
NOI Withdrawn	0
Death Penalty Imposed	0

Mental Competency Statistics (p. 6)

Orders for Mental Competency Evaluation	0
Mental Competency Hearing	0
Findings of Incompetence	0

Court Interpreter Statistics (p. 6)

Cases with Court Interpreters		0
Languages Used by Party	Spanish	0
	Tagalog	0
	Chinese (Mandarin/Cantonese)	0
	American Sign Language	0
	Other Languages	0

Additional Criminal Proceedings (p. 7-9)

Extraordinary Writs	
Search Warrants Requests	3
Pre-trial Custody Hearings	0
Probable Cause Findings/Hearings	25
Extradition Hearings	0
72-Hour Hearings	2
Arraignment Hearings	26
Preliminary Hearings	4
Sentencing Hearings	21
Grand Jury Proceedings	

Post-Adjudication Case Activity

Remanded Cases	0
Request for Modification of Sentence	0
Sentencing Violation	0
Post-Conviction Relief	0

Preliminary Hearing Continuances (p.9)

Court Need	0
Prosecution Request	0
Defendant Request (pro per)	0
Defense Attorney Request	0
Other	0
Total Prelim Hearing Continuances	0

Trial Continuances (p.9)

Court Need	0
Prosecution Request	0
Defendant Request (pro per)	0
Defense Attorney Request	0
Other	0
Total Trial Continuances	0

Nevada Trial Courts

Civil Statistics Reporting
Caseload Worksheet

Court: DAYTON JUSTICE COURT **Court ID:** J031102
Date: 10/1/2023 to 10/31/2023

Justice/Municipal Court Case Types - Civil (Dictionary, p.25-27)

Civil Caseload (Dictionary p. 29-31)	Real Property Case			Tort Case				Contract Case									Protection Orders	
				Negligence Case				Seller Plaintiff (Debt Collection) Case										
	Landlord/Tenant Case (Summary Eviction)	Unlawful Detainer Complaint (Writs of Restitution)	Other Real Property Case	Auto Negligence Case	Premises Liability Case	Other Negligence Case	Intentional Misconduct Case	Other Tort Case	Credit Card Collection Case	Payday Loan Collection Case	Debt Collection Agency Case	Other Debt Collection Case	Contract Buyer/Plaintiff Case	Other Contract Case	Contested Liens Case	Other Civil Matters	Small Claims Case	Request for DV Protection Order	Request for Protection Order (Non-DV)
1. Begin Pending																			
a. Active																			
b. Inactive																			
2. New Filings	8	0	0	0	0	0	0	0	15	0	1	3	1	1	0	4	2	7	22
3. Reopened	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4. Reactivated																			
5. Dispositions (Entry of Judgment)																			
a. Original	9	0	0	0	0	0	0	0	25	0	1	1	0	0	0	3	2	6	20
b. Reopened																			
6. Placed on Inactive Status																			
7. End Pending																			
a. Active																			
b. Inactive																			
8. Set for Review																			

Additional Civil Caseload Statistics (Dictionary, p.28-29)

Civil Writs (Related to an Existing Case)	Remitted/Remanded Civil Cases	Jury Trials	Non-Jury (Bench) Trials	Satisfaction of Judgment	Inmate Requests/Filings	Contempt and Preliminary Injunctions	Renewal of Judgment	Limited Jurisdiction Courts Only: Orders to Seal Records	Sexual Assault Protection Orders	Request for Extended DV Protection Orders	Request for Extended Protection Orders (Non-DV)
8	0	0	2	7	0	0	3	0	0	0	0

Nevada Trial Courts

Civil Statistics Reporting
Disposition Worksheet

Court: DAYTON JUSTICE COURT **Court ID:** J031102 **Prepared by:** ANGELICA M.

Date: 10/1/2023 to 10/31/2023 **Approved by:**

Justice/Municipal Court Case Types - Civil (Dictionary, p.25-27)

Civil Manner of Disposition (Dictionary p. 33-35)	Real Property Case			Tort Case					Contract Case									Protection Orders	
				Negligence Case					Seller Plaintiff (Debt Collection) Case										
	Landlord/Tenant Case (Summary Eviction)	Unlawful Detainer Complaint (Writs of Restitution)	Other Real Property Case	Auto Negligence Case	Premises Liability Case	Other Negligence Case	Intentional Misconduct Case	Other Tort Case	Credit Card Collection Case	Payday Loan Collection Case	Debt Collection Agency Case	Other Debt Collection Case	Contract Buyer Plaintiff Case	Other Contract Case	Contested Liens Case	Other Civil Matters	Small Claims Case	Request for DV Protection Order	Request for Protection Order (Non-DV)
Non-Trial Dispositions																			
Other Manner of Disposition	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Voluntary Dismissal	0	0	0	0	0	0	0	0	4	0	1	1	0	0	0	0	0	1	0
Involuntary Dismissal	0	0	0	0	0	0	0	0	7	0	0	0	0	0	0	2	0	0	0
Transferred (before trial)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Judgment on Arbitration	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
Stipulated Dismissal	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
Stipulated Judgment	0	0	0	0	0	0	0	0	2	0	0	0	0	0	0	0	0		
Default Judgment	5	0	0	0	0	0	0	0	12	0	0	0	0	0	0	0	1		
Motion to Dismiss by the Defendant(s)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
Summary Judgment	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1		
Total Non-Trial Dispositions	7	0	0	0	0	0	0	0	25	0	1	1	0	0	0	3	2	1	0
Non-Jury (bench) Trial Dispositions																			
Disposed After Trial Start (bench trial)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
Judgment Reached (bench trial)	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
Total Bench (Non-Jury) Trial Dispositions	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
Jury Trial Dispositions																			
Disposed After Trial Start (jury trial)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
Verdict Reached	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
Total Jury Trial Dispositions	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
Protection Orders Dispositions																			
Denied without Hearing																		2	8
Granted without Hearing																		3	12
Denied with Hearing																		0	0
Granted with Hearing																		0	0
Total Protection Order Dispositions																		5	20
Grand Total Dispositions	9	0	0	0	0	0	0	0	25	0	1	1	0	0	0	3	2	6	20

Nevada Trial Courts

Civil High Risk Orders Report

For Dates Between: 10/1/2023 And 10/31/2023

Caseload Worksheet	
New Filings:	0
Reopened:	0

Disposition Worksheet	
Other Manner of Disposition:	0
Voluntary Dismissal:	0
Involuntary Dismissal:	0
Transferred (before trial)	0
Denied Without Hearing:	0
Granted Without Hearing:	0
Denied With Hearing:	0
Granted With Hearing:	0

Statistics Worksheet	
Extended High Risk P/O Granted:	0
Extended High Risk P/O Denied:	0
Extended High Risk P/O Other:	0
High Risk P/O Leo:	0
High Risk P/O Family:	0

Lyon County Board of County Commissioners Agenda Summary

Meeting Date: December 7, 2023

Agenda Item Number:
12.a

Subject:
For Possible Action: Approve changes to Assessor's tax roll

Summary:

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:
Approve changes to Assessor's tax roll

ATTACHMENTS
- Secured Factual Corrections

Meeting: Dec 7th, 2023

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
029-573-11	MICHAEL FRANCIS	DV EXEMPT	8.4	2023-24	$862.42
020-855-27	MARIO ANDUJO	DV EXEMPT	6.0	2023-24	$549.66
022-101-04	NORMAN WILKE	DV EXEMPT	6.0	2023-24	$1,220.80
019-231-03	TIMOTHY TRUE	CORRECTED TAX CAP	8.4	2023-24	$35.79
020-521-41	GERTRUD CALLEJA	NEWLAND CORR	6.0	2023-24	$189.79
020-522-30	MARIO & STACEY MARTINEZ	NEW LAND CORR	6.0	2023-24	$189.79
020-522-76	SIMEX INVESTMENTS LLC	NEW LAND CORR	6.0	2023-24	$157.77
020-532-15	EMILY GONZALEZ	NEW LAND CORR	6.0	2023-24	$189.24
020-532-47	JIMMY T CHICOLA	NEW LAND CORR	6.0	2023-24	$189.79
020-532-48	DELBERT & BEVERLY COPPESS TRS	NEW LAND CORR	6.0	2023-24	$183.24
020-534-09	TIMOTHY & MICHELLE COLLINS	NEW LAND CORR	6.0	2023-24	$189.79
020-534-24	MARIO RODRIGUEZ	NEW LAND CORR	6.0	2023-24	$189.80
020-534-28	MATTHEW & SAMANTHA ELLIOTT	NEW LAND CORR	6.0	2023-24	$189.80
020-536-03	JIM & LINDA ADELMAN	NEW LAND CORR	6.0	2023-24	$189.79
020-543-05	LEONARA AMPER TRS	NEW LAND CORR	6.0	2023-24	$168.04
020-545-23	TODD & GAIL BRADLEY	NEW LAND CORR	6.0	2023-24	$189.90
020-545-42	DAVID CULLUM	NEW LAND CORR	6.0	2023-24	$189.79
020-545-43	EVONTAYE CANNON TRS	NEW LAND CORR	6.0	2023-24	$189.80
020-551-05	IGNACIO URENO	NEW LAND CORR	6.0	2023-24	$189.74
020-552-51	MICHELLE RAMIREZ	NEW LAND CORR	6.0	2023-24	$189.79
020-552-53	DARON & JEANNIE WILDERMUTH	NEW LAND CORR	6.0	2023-24	$189.80
020-552-82	DENNIS E GIBSON ET AL	NEW LAND CORR	6.0	2023-24	$189.79
020-561-01	RONALD LEROY BAKER TRS	NEW LAND CORR	6.0	2023-24	$189.79
020-571-05	ERIK & DIANE MATTERSON	NEW LAND CORR	6.0	2023-24	$189.79
TOTAL:					**$6,403.70**

Lyon County Board of County Commissioners Agenda Summary

Meeting Date: December 7, 2023

Agenda Item Number:
12.b

Subject:
For Possible Action: Approve the November 16th, 2023 minutes.

Summary:

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:
Approve the November 16th, 2023 Minutes

ATTACHMENTS
- November 16, 2023 Minutes

Board of County Commissioners
Lyon County, Nevada

The Honorable Board of Lyon County Commissioners met this day, Thursday, November 16, 2023 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 Scott Keller, Commissioner Tammy Hendrix and Commissioner Robert Jacobsen

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

2. Invocation given by Archie or Travis Walker of the Smith Valley Baptist

3. Pledge of Allegiance

4. Public Participation

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

5. For Possible Action: Review and Adoption of Agenda

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

Comm. Jacobsen moved to approve the agenda, Comm. Henderson seconded, and the motion passed 5-0.

6. Time Certain

6.a. Time Certain at 9:05 AM - For Presentation Only: Discussion and Update from the Nevada Association of Counties (NACO) (Given by NACO President, Varlin Higbee, Lincoln County Commissioner and Vinson Guthreau, Executive Director, NACO).

Nevada Association of Counties President, Varlin Higbee and Executive Director Vinson Guthreau gave a presentation discussing recent updates from the Nevada Association of Counties.

Comm. Henderson and Comm. Keller stated this is a great opportunity to collect data.

The Commissioners thanked Varlin Higbee and Vince Guthreau for their presentation.

RECESS TO CONVENE AS BOARD OF HEALTH

Chairwoman Dr. Robin Titus stated Commissioner David Hockaday, Commissioner Wes Henderson, Commissioner Scott Keller, Commissioner Tammy Hendrix and Commissioner Robert Jacobsen. Sheriff Brad Pope arrived at 9:53 am.

7. Public Participation

Chairwoman Titus asked for public comment and there was none.

8. Board of Health Time Certain at 9:30 A.M.

8.a. For Presentation Only: Presentation on Lyon County School Districts Care Solace service and programming outcome data (Heather Moyle, Lyon County School District, Executive Director of Educational Services).

Lyon County School District Executive Director of Educational Services Heather Moyle gave a presentation outlining the Lyon County School Districts Care Solace service and programming outcome data.

Chairwoman Titus asked how many referrals there were out of the 2876 contacts.

Heather Moyle stated there was 218 referrals out of the 2876 contacts.

Comm. Hendrix asked if parents are informed if children access this.

Heather Moyle stated that if the child is under the age of 12 years old, parents are informed.

Commissioners thanked Heather Moyle for her presentation.

8.b. For Presentation Only: Presentation and seeking input on NV NACO (in partnership with UNR Extension's Nevada Economic Assessment Project (NEAP)), Foundational Public Health Services Assessment project for rural Nevada counties.

Nevada Association of Counties Public Health Coordinator Amy Hyne-Sutherland, PHD gave a presentation outlining the Foundational Public Health Services Assessment project for rural Nevada counties as well as asked for input from the commissioners.

Commissioners asked for clarification regarding if the meeting on January 10th, 2024 is specifically for Lyon County, if the template presented will identify services supplied by Lyon County vs. services supplied by the State, what is the ultimate goal for this study, who is paying for this study, if the cost will be offered to the board, how long the data collection will be for, how are the surveys distributed and how is a stake holder identified.

Amy Hyne-Sutherland stated the meeting on January 10th, 2024 will be for Lyon County specifically. The template is designed to explain who delivers each service and the goal is to provide you with all of the info needed for decision making. This study is paid by a grant though the State. This tool should be able to provide as close to a granular amount as possible and data will be collected for 3 weeks. A list of stake holders including commissioners, fire departments, police departments, emergency management, hospitals, tribal clinics and anyone doing any kind of health care or delivering public health services in the county has received outreach so they know what to expect when receiving these surveys.

Commissioners thanked Amy Hyne-Sutherland for her presentation.

8.c. For Presentation Only: Presentation on Lyon County Suicide rates and trends with a regional comparison. (Cherylyn Rahr-Wood, Regional Behavioral Health Coordinator and Misty Allen, State of Nevada Office of Suicide Prevention, Suicide Prevention Coordinator)

Cherlyn Rahr-Wood, Regional Behavioral Health Coordinator and Misty Allen, State of Nevada Office of Suicide Prevention, Suicide Prevention Coordinator gave a presentation outlining the Lyon County Suicide rates and trends with a regional comparison.

Commissioners asked for clarification regarding if there is more information that could give context to the data being presented and if data can be collected on why people are choosing suicide.

Cherlyn Rahr-Wood and Misty Allen stated they believe that data is slowly being collected through the Nevada Crisis Response System while also following HIPPA laws. They also stated that a lot of times it's too late to find out why people chose to take their own life but this data is slowly being collected to better understand how to assist others.

Commissioners thanked Cherlyn Rahr-Wood and Misty Allen for their presentation.

9. Public Participation

Hillary Dashiell provided information for studies being done in relation to today's presentation.

Chairwoman Titus stated that RSV has had a resurgence recently and that COVID-19 cases are low.

ADJOURN TO RECONVENE AS THE LYON COUNTY BOARD OF COMMISSIONERS

10. Presentation of awards and/or recognition of accomplishments

10.a. For Presentation Only: Present Sergeant Matt Galvin, Sergeant Chris Miller and Reserve Deputy / SWAT Medic Dan Boyer with the Lyon County Sheriff's Office "Life Saving Award".

Sheriff Brad Pope presented the Life Saving Award to Sergeant Matt Galvin, Sergeant Chris Miller and reserve Deputy/SWAT Medic Dan Boyer.

Commissioners thanked Sheriff Brad Pope and his staff for their continued efforts.

10.b. For Presentation Only: Present Deputy Coroner Ariana Mendoza with the "Nevada Donor Network 2023 Sheriff Coroner Partner of the Year"

Sheriff Brad Pope presented the "Nevada Donor Network 2023 Sheriff Coroner Partner of the Year" to Deputy Coroner Ariana Mendoza.

Commissioners thanked Sheriff Brad Pope and his staff for their continued efforts.

11. Commissioners/County Manager Reports

Comm. Hendrix attended the Silver Springs Advisory Board meeting, Comstock Historical District Board meeting and the Carson Water Subconservancy District meeting.

Comm. Henderson attended the National Association of Counties Public Land Steering Committee meeting.

Comm. Keller attended the Silver Springs Advisory Board meeting, Carson Water Subconservancy District meeting, the Fallon Range Intergovernmental Executive Committee meeting and the Northern Nevada Development Authority meeting.

Comm. Jacobsen apologized for his absence from the last meeting. He sent his condolences to Brian Kurk. As Veterans Day was recent, he thanked all the veterans for their service. He thanked the Fernley Intermediate School for holding a Veteran's Day Assembly. He congratulated the Smith Valley girls' volleyball team for their state win. He attended the Fernley City Council meeting. He wished everyone a happy Thanksgiving.

Comm. Hockaday attended the Walker River Irrigation District Meeting, the Fernley Intermediate School Veteran's Day Assembly, the Local Emergency Planning meeting and the Smith Valley Conservation District meeting. He also congratulated the Smith Valley girls' volleyball team for their state win.

County Manager Andrew Haskin has been working on lands bill items and is looking to present to the board by the end of the year. He intends on returning to the next meeting with an item about the Mound House Community Center. He apologized for the absence of the Miller Lane/Aiazzi Lane item not being on the agenda today.

12. Elected Official's Reports

12.a. For Report Only: Canal Township Justice Court statistics report.
- September 2023 Stats Report

12.b. For Report Only: Clerk/Treasurer update for Publication of Polling locations.
- PPP Final Publication

13. Appointed Official's Reports

Comptroller Josh Foli stated that the audit is almost complete and will be bringing it to the board the 2nd meeting of December. He stated that on the next agenda he will be placing an item creating two part time positions.

14. Advisory Board Reports

There were none.

15. CONSENT AGENDA

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

Comm. Jacobsen moved to approve the Consent Agenda items #15.a. – 15.i., Comm. Keller seconded, and the motion passed 5-0.

15.a. For Possible Action: Approve changes to Assessor's tax roll

Secured Property Corrections totaled $ $1,349.89 and Unsecured Factual Corrections totaled $1,067.80.

15.b. For Possible Action: Approve the November 2nd, 2023 Minutes

The November 2nd, 2023 minutes were approved.

15.c. For Possible Action: Review and accept travel claims.

Travel claims total as of October 31st, 2023 was $ 3,755.66.

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

The cash balance as of October 31st, 2023 was $146,295,949.88. County claims totaled $1,759,065.40 and payroll totaled $1,224,256.90.

15.e. For Possible Action: Accept the donation of labor and materials for the Dressler Park Rodeo Arena Soil Repair Project from the Rotary Club of Smith Valley and other Smith Valley volunteer groups and businesses.
- SV Rotary Club Project Report

15.f. For Possible Action: Accept a federal grant in the amount of $27,029.74 from the BJA Patrick Leahy Bulletproof Vest Partnership to pay for bulletproof vests for the Sheriff's Office.

15.g. For Possible Action: Accept the Notice of Subgrant Award from the State of Nevada, Department of Health and Human Services, Division of Public and Behavioral Health, for FY2024, in the amount of $339,500.00, to continue the Nevada Home Visiting Program in Lyon County.
- FY24 Nevada Home Visiting Grant Award

15.h. For Possible Action: Accept the Notice of Subgrant Award from the State of Nevada, Aging and Disability Services Division (ADSD) in the amount of $151,253.41, with county match of $22,688.00, to continue the Title III-C1 Congregate Meals Program in Lyon County.
- FY24 Congregate Meals Notice of Subaward

15.i. For Possible Action: Accept grant award from the State of Nevada, Aging and Disability Services Division (ADSD) in the amount of $259,722.11, with county match of $38,958.00, to continue the Title III-C2 Nutrition, Home Delivered Meals Program in Lyon County.
- **FY24 Home Delivered Meals Notice of Subaward**

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

16. Advisory Board

16.a. For Possible Action: Appoint up to three members to the Dayton Valley Regional Advisory Board with terms expiring December 31, 2025.
- Christopher Gonzales, Application
- Crystal Rodriguez, Application

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

Comm. Henderson moved to appoint Christopher Gonzales and Crystal Rodriguez to the Dayton Valley Regional Advisory Board with terms expiring December 31, 2025, Comm. Jacobsen seconded, and the motion passed 5-0.

16.b. For Possible Action: Appoint up to three members to the Mound House Advisory Board with two terms expiring December 31, 2025, and one term expiring December 31, 2024.
- Rae Ann Stevenson, Application
- Lori Trowbridge, Application

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

Comm. Henderson moved to appoint Rae Ann Stevenson and Lori Trowbridge to the Mound House Advisory Board with two terms expiring December 31, 2025, Comm. Hendrix seconded, and the motion passed 5-0.

16.c. For Possible Action: Appoint up to two members to the Silver Springs Advisory Board with terms expiring December 31, 2025.
- Michael Irvine, Application
- Katie Baker, Application
- Monie Byers, Application

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

Comm. Keller moved to appoint Michael Irvine and Katie Baker to the Silver Springs Advisory Board with terms expiring December 31, 2025, Comm. Hendrix seconded, and the motion passed 4-1. Comm. Jacobsen voted nay.

16.d. For Possible Action: Appoint up to three members to the Smith Valley Advisory Board with terms expiring December 31, 2025.
- Rodger Rodarte, Application
- Thomas Renner, Application

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

Comm. Hockaday moved to appoint Rodger Rodarte and Thomas Renner to the Smith Valley Advisory Board with terms expiring December 31, 2025, Comm. Henderson seconded, and the motion passed 5-0.

16.e. For Possible Action: Appoint up to three members to the Stagecoach Advisory Board with terms expiring December 31, 2025.
- Charles Shirley, Application
- Cassandra D. Aveiro, Application
- David L. Palmer, Application

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

Comm. Jacobsen moved to appoint Charles Shirley, Cassandra D. Aveiro and David L. Palmer to the Stagecoach Advisory Board with terms expiring December 31, 2025, Comm. Hendrix seconded, and the motion passed 5-0.

16.f. For Possible Action: Appoint up to three members to the Central Lyon County Park Advisory Board with two terms expiring December 31, 2025, and one term expiring December 31, 2024.
- Christopher Gonzales, Application

- Monie Byers, Application

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

Comm. Henderson moved to appoint Christopher Gonzales and Monie Byers to the Central Lyon County Park Advisory Board with two terms expiring December 31, 2025, Comm. Hendrix seconded, and the motion passed 5-0.

16.g. For Possible Action: Appoint up to six members to the Smith Valley Park & Recreation Advisory Board with terms expiring December 31, 2025.
- Cathy Balda, Application
- Dan Pommerening, Application
- Kameron Hawkins, Application

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

Comm. Hockaday moved to appoint Cathy Balda, Dan Pommerening and Kameron Hawkins to the Smith Valley Park & Recreation Advisory Board with terms expiring December 31, 2025, Comm. Henderson seconded, and the motion passed 5-0.

16.h. For Possible Action: Appoint up to two members to the Lyon County Advisory Board to Manage Wildlife with terms expiring December 31, 2025.
- Robert Arigoni, Application

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

Comm. Jacobsen moved to appoint Robert Arigoni to the Lyon County Advisory Board to Manage Wildlife with terms expiring December 31, 2025, Comm. Henderson seconded, and the motion passed 5-0.

17. Utilities

17.a. For Possible Action: Approve a Memorandum of Agreement with Sbragia Enterprises for the acquisition of a public utility easement on APN 006-041-01 at a cost of $69,500 payable after January 1, 2024 (David Bruketta).
- Memorandum of Agreement with Sbragia Enterprises

Utility Director David Bruketta gave a presentation outlining the Memorandum of Agreement with Sbragia Enterprises.

Commissioners asked for clarification if the easement is permanent and what the renewal pertained to.

David Bruketta stated that the easement is permanent and that the renewal is to allow further work to be done if it extends past the two year agreement.

Joe Sbragia gave a personal account of his recollection of the modifications made to the road.

Nancy Sbragia thanked everyone involved for their efforts in this process.

Comm. Keller moved to approve a Memorandum of Agreement with Sbragia Enterprises for the acquisition of a public utility easement on APN 006-041-01 at a cost of $69,500 payable after January 1, 2024, Comm. Henderson seconded, and the motion passed 5-0.

18. Other

18.a. For Possible Action: Approve lease agreement between the Silver City Preservation Society, a Nevada 501(c)(3), and Lyon County for the Silver City Community Center for a term of ten years with an automatic renewal of ten years at a lease payment of $1 per year.

Commissioners stated concerns with the automatic renewal and would appreciate a presentation with updates when they return after ten years.

District Attorney Steve Rye clarified the renewal timeline ten year term with a four year renewal.

Comptroller Josh Foli stated that the lease could be terminated early at any time without cause and that the automatic renewal was due to there being no issues but can be terminated at any time for any reason if presented.

Facilities Director Doug Homestead stated Silver City Community Center is being taken care of very well and thanked staff.

County Manager Andrew Haskin stated that lease term is ten years with four year renewal.

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

Comm. Jacobsen moved to approve the lease agreement between the Silver City Preservation Society, a Nevada 501(c)(3), and Lyon County for the Silver City Community Center for a term of ten years with a renewal of ten years with an automatic renewal of four years at a lease payment of $1 per year, Comm. Keller seconded, and the motion passed 4-1. Comm. Henderson voted nay.

19. County Manager

19.a. For Possible Action: Approve a resolution of the Lyon County Board of Commissioners supporting permanent daylight saving time and the Sunshine Protection Act (Requested by Comm. Henderson).

Comm. Keller stated his concern with how this will disrupt the public and their day to day life and work.

Comm. Jacobsen stated he called the Lyon County School District and a few other organizations for feedback and they all believe this would not disrupt how they conduct business.

Comm. Henderson stated states have the right to keep you on Standard Time but they do not have the right to keep you on daylight saving time.

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

Comm. Henderson moved to approve a resolution of the Lyon County Board of Commissioners supporting permanent daylight saving time and the Sunshine Protection Act, Comm. Jacobsen seconded, and the motion passed 3-2. Comm. Hendrix and Comm. Hockaday voted nay.

20. Agenda Requests

There were none.

21. Commissioners Comments

Comm. Henderson sent his condolences to the family of Harvey Munford for their loss.

Commissioners thanked everyone for their attendance and wished everyone a happy and safe Thanksgiving.

22. Public Participation

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

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

There was a closed session at 11:55am.

24. Adjourn

Meeting was adjourned at 11:54 am.

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: December 7, 2023

Agenda Item Number:
12.c

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 November 1, 2023 to November 15, 2023

LYON COUNTY TRAVEL REPORT
November 1-15, 2023

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Department / Name	Description	Amount
Sheriff		
Tiffany Lange	Staff Meeting Silver Springs, NV 10/31/2023 - Mileage	20.30
Jennifer Moore	Staff Meeting Silver Springs, NV 10/31/2023 - Mileage	41.92
Haley Loving	Staff Meeting Silver Springs, NV 10/31/2023 - Mileage	24.89
Nathan Whittemore	FTO School Minden, NV 12/04-12/08/2023 - Registration	200.00
Ted Ziegenfuss	Basic SRO Columbia, TN 10/08-10/14/2023 - Rental Car, Lodging	1,103.31
Bret Willey	Use of Force Conference Las Vegas, NV 12/03-12/09/2023 - Registration, Per Diem, Lodging	1,827.30
Ariana Mendoza	Basic Death Investigations Reno, NV 11/29-12/01/2023 - Registration	100.00
Ariana Mendoza	FTO Conference Las Vegas, NV 12/10-12/16/2023 - Registration	695.00
Julie Redmond	IA Conference Las Vegas, NV 12/03-12/09/2023 - Registration, Per Diem, Lodging	1,827.30
Caleb Mullen	FTO Conference Las Vegas, NV 12/10-12/16/2023 - Registration	695.00
Nathan Whittemore	FTO Conference Las Vegas, NV 12/10-12/16/2023 - Registration	695.00
Nicole Cisneros	Leadership for New Supervisors Las Vegas, NV 12/10-12/16/2023 - Registration	695.00
Wlliam Morgan	Leadership for New Supervisors Las Vegas, NV 12/10-12/16/2023 - Registration	695.00
Rebecca Martinez	Grant Writing Carson City, NV 11/13-11/14/2023 - Registration	395.00
Ted Ziegenfuss	Sex Offender Bootcamp Lake Tahoe, CA 09/26-09/29/2023 - Lodging	320.20
Jeremy Tafelmeyer	Sex Offender Bootcamp Lake Tahoe, CA 09/26-09/29/2023 - Lodging	320.20
Treasurer		
Shelby Silveira	SOS Elections Conference 10/30-11/01/2023 - Mileage, Per Diem	109.16
Staci Lindberg	SOS Elections Conference 10/30-11/01/2023 - Mileage, Per Diem	109.16
District Court		
Bayley Baptist	Dayton Justice Court 10/04 & 10/18/2023 - Mileage	146.72
Bayley Baptist	Fernley Juvenile Court 10/12/2023 - Mileage	61.57
Sara Glover	Dayton Justice Court 10/04 & 10/18/2023 - Mileage	136.24
Sara Glover	Fernley Juvenile Court 10/12 & 10/26/2023 - Mileage	123.14
Lindsey McCabe	Fernley Juvenile Court 10/26/2023 - Mileage	61.57
Road		
Shawn Cisco	Basic Work Zone Traffic Control Reno, NV 12/05/2023 - Per Diem	17.00
Mike Butler	Basic Work Zone Traffic Control Reno, NV 12/05/2023 - Per Diem	17.00
Ryan Graves	Basic Work Zone Traffic Control Reno, NV 12/05/2023 - Per Diem	17.00
James Butts	Basic Work Zone Traffic Control Reno, NV 12/05/2023 - Per Diem	17.00
Fernley Justice Court		
Martha Tapia	Leadership Development Training Yerington, NV 11/13/2023 - Mileage	59.61
Catherine Carmack	POST Graduation Carson City, NV 11/09/2023	50.70
Utilities		
Kishora Panda	WEF Conference Chicago, IL 09/30-10/04/2023 - Airfare, Lodging	1,356.51
Human Services		
Shayla Holmes	GXC Conference Orlando, FL 11/12-11/15/2023 - Per Diem	146.00
Library		
Jake Frye	Cover Branch Fernley, NV 11/01/2023 - Mileage	56.34
Jennifer Stockwell	Cover Branch Smith Valley, NV 10/21 10/31 & 11/072023 - Mileage	43.23
Jennifer Stockwell	Cover Branch Silver Springs, NV 11/09/2023 - Mileage	41.92
Jennifer Stockwell	Training Silver Springs, NV 11/18/2023 - Mileage	41.40
Juvenile Probation		
Brian Kirley	Transport Minor Fallon, NV 10/26/23 - Per Diem	26.00
Chris Gentine	Transport Minor Salt Lake City, UT 10/10/2023 - Airport Parking	16.00
Chris Gentine	Defensive Tactics Level 1 Instructor Camarillo, CA 12/03-12/09/2023 - Lodging, Registration	2,081.09
Abram Minnitte	ASP Instructor Training Carson City, NV 04/16-04/18/2024 - Registration	100.00
		14,489.78

Lyon County Board of County Commissioners Agenda Summary

Meeting Date: December 7, 2023

Agenda Item Number:
12.d

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 November 1, 2023 to November 15, 2023
- Cash Report November 15, 2023

CLAIMS REPORT
NOVEMBER 1 THROUGH NOVEMBER 15, 2023

LYON COUNTY	BILLS	PAYROLL
Governmental Funds		
General	472,987.15	1,268,983.16
Employee Benefits		
Park Construction Tax	15,300.00	
Co-Op Extension	1,162.93	
Unemployment		
Room Tax	691.26	
Aid to Domestic Violence	415.00	
Vehicle Acquisition		
Fair and Rodeo	1,739.69	
Capital Improvements	1,528,635.69	
Justice Court Special Assessment	575.00	
District Court Restricted Fees		
Juvenile Probation Special Assessment	9.99	900.54
County Library Gift		
911 Surcharge	33,534.70	
Mining Claim Map		
Road	19,624.13	66,933.87
R T C	627.50	
Road Improvement	27,945.84	
Opioid Settlement	2,967.00	12,996.73
General Indigent	12,099.15	83,941.32
Medical Indigent	17,167.00	8,917.06
Senior Services	27,453.04	66,175.60
Senior Services Donations	289.43	
Animal Control Donations		
Enterprise Funds		
Dayton Water Utility	379,790.91	72,774.61
Dayton Sewer Utility	40,158.13	55,606.93
Component Unit Funds		
Mason Valley Mosquito Control District	0.74	4,954.07
Central Lyon Vector Control District		
Walker River Weed Control District		1,253.30
Silver Springs General Improvement District	6,357.88	
Willowcreek General Improvement District	1,162.66	
Subtotal	**2,590,694.82**	**1,643,437.19**

TRUST AND AGENCY	BILLS	PAYROLL
DNA Testing	936.48	
Western Regional Youth Facility	8,585.55	79,064.69
Mason Valley Swimming Pool District	2,114.54	
Silver Springs/Stagecoach Hospital	7,508.26	3,641.99
Fernley Swimming Pool	23,545.96	22,488.00
City of Fernley	1,260,796.77	
Mason Valley Fire Protection District	6,238.04	43,154.33
North Lyon County Fire Protection District	383,758.97	
Smith Valley Fire Protection District	656.60	7,593.52
Stagecoach General Improvement District		
South Lyon Hospital District	174,988.06	
State of Nevada	224,806.80	
City of Yerington	50,792.78	
Fish and Game	189.30	
Walker River Irrigation District	220,638.19	
Range Improvement	1,861.61	
Lyon County Bond		
Coroner Estate Proceeds		
County Trust Property		
Social Security Payee Program	11,800.74	
Central Lyon County Fire Protection District	1,200,511.95	
Carson Water Sub-Conservancy District		
Dayton Valley Ground Water		
Smith Valley Artesia		
Mason Valley Artesia		
Churchill Valley Ground Water		
Truckee Carson Irrigation District	60,173.57	
Fernley Ground Water		
Brady Hot Springs Ground Water		
Lyon County School District	3,454,948.53	
Subtotal	**7,094,852.70**	**155,942.53**

SUMMARY		
Lyon County	2,590,694.82	1,643,437.19
Trust & Agency	7,094,852.70	155,942.53
TOTAL	**9,685,547.52**	**1,799,379.72**

CASH REPORT

November 15, 2023

LYON COUNTY	BALANCE
Governmental Funds	
General	22,251,212.12
Park Construction Tax	1,086,046.95
Cooperative Extension	505,312.67
Unemployment	424,377.53
Room Tax	101,621.46
County Stabilization	3,450,000.00
Aid to Domestic Violence	130.00
Vehicle Acquisition	602,941.65
Fair and Rodeo	232,229.15
Justice Court Special Assessment	1,023,497.41
District Court Restricted Fees	733,938.25
Juvenile Probation Special Assessment	27,823.24
Library Gift	10,747.06
Mining Claim Map	20,244.07
911 Surcharge	690,497.04
Animal Control Donations	113,810.90
Road	65,976.03
R T C	13,966,574.13
Road Improvement	1,463,102.81
Opioid Settlement	406,819.31
General Indigent	489,923.96
Medical Indigent	4,973,040.64
Senior Services	676,432.06
Senior Services Donations	179,607.88
Capital Improvements	22,523,315.84
Subtotal Governmental Funds	**76,019,222.16**
Enterprise Funds	
Dayton Water Utility	12,620,962.09
Dayton Sewer Utility	22,059,515.02
Subtotal Enterprise Funds	**34,680,477.11**
Component Unit Funds	
Mason Valley Mosquito Control District	769,325.77
Central Lyon County Vector Control District	437,545.58
Walker River Weed Control District	247,537.35
Silver Springs General Improvement District	4,294,334.83
Willowcreek General Improvement District	819,686.51
Subtotal Component Unit Funds	**6,568,430.04**
Total Lyon County	**117,268,129.31**

CUSTODIAL FUNDS	BALANCE
DNA Testing	1,668.00
Western Nevada Regional Youth Center	1,408,376.30
Mason Valley Swimming Pool District	3,058,926.82
Silver Springs/Stagecoach Hospital	1,952,415.55
Fernley Swimming Pool District	3,343,207.64
City of Fernley	38,918.39
Mason Valley Fire Protection District	.
General Fund	409,602.32
Ambulance Fund	1,205,910.62
Acquisition Fund	305,834.81
Emergency Fund	16,324.78
North Lyon County Fire Protection District	11,801.26
Smith Valley Fire Protection District	
General Fund	809,034.91
Emergency Fund	382,703.69
Acquisition Fund	679,526.75
Stagecoach General Improvement District	14,337.04
South Lyon Hospital District	1,327,445.29
State of Nevada	1,069,205.51
City of Yerington	1,251.21
Fish and Game	5,012.55
Walker River Irrigation District	5,648.41
Range Improvement	408.07
Lyon County Bond	684,945.96
Coroner Estate Proceeds	3,886.96
County Trust Property & Inmate Trust	513,361.74
Social Security Payees/Public Guardianships	288,946.51
Central Lyon County Fire Protection District	
General Fund	36,688.21
Ambulance Fund	2,785.79
Carson Water Sub-Conservancy District	34,511.34
Dayton Valley Ground Water	2,662.17
Smith Valley Artesia	6,995.26
Mason Valley Artesia	23,821.17
Churchill Valley Ground Water	1,078.95
Truckee Carson Irrigation District	3,204.61
Brady Hot Springs Ground Water	-
Fernley Ground Water	2,907.66
Lyon County School District	
General Fund	71,966.95
Debt Service Fund	51,500.44
Total Custodial Funds	**17,776,823.64**

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

SUMMARY	
Lyon County	117,268,129.31
Custodial Funds	17,776,823.64
Unallocated Cash	
Unapportioned Secured Taxes	-
Unapportioned Unsecured Taxes	-
Unapportioned Purchase Cards	(8,029.72)
Unapportioned Interest	605,799.69
TOTAL	**135,642,722.92**

BANK ACCOUNTS AND PETTY CASH	
Wells Fargo Bank Checking	29,026,720.96
US Bank Investment	86,671,571.08
Local Government Investment Pool	19,935,848.23
Inmate Trust	744.65
Fernley Swimming Pool Imprest	300.00
Dayton Utilities Imprest	500.00
Silver Springs GID Imprest	500.00
Petty Cash	6,538.00
TOTAL	**135,642,722.92**

Lyon County Board of County Commissioners Agenda Summary

Meeting Date: December 7, 2023

Agenda Item Number:
12.e

Subject:
For Possible Action: Approval to RELEASE the 10% MAINTENANCE BOND for the RIVERPARK DUNES 3 Subdivision and ACCEPT the OFFER OF DEDICATION for those portions of Teakwood Road and Saguaro Road, shown on the Final Subdivision Map for Riverpark Dunes 3, for county maintenance.

Summary:
The applicant is requesting the release of the 10% Maintenance Bond for the RIVERPARK DUNES 3 Subdivision.
A Final Subdivision Map was recorded on May 1, 2020, as Document No. 614453. An offer of dedication for the roadways was rejected with an option to accept those improvements at a later date.
A 10% Maintenance Bond was provided at the time the final map recorded with the improvements having been completed prior to map recordation.
The Maintenance Bond can now be released and the offer of dedication of those improvements can be accepted.
All of the improvements are complete and have withstood a maintenance period of over one (1) year. The improvements associated with this subdivision have been inspected and were found to be complete with the roads having been built to Lyon County Standards. Certificates of Completion from the Roads Director, Utilities Director and County Engineer are on file with the Planning Department.
Staff recommends acceptance of the release of the Maintenance Bond and acceptance of the improvements for the Riverpark Dunes 3 Subdivision.

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:
The Lyon County Board of Commissioners finds that the requested release of the 10% Maintenance Bond and acceptance for Maintenance of the improvements associated with the Riverpark Dunes 3 subdivision:
A. Is consistent with the applicable provisions of Lyon County Code and the Nevada Revised Statutes;
B. Will not be detrimental to the public health, safety, convenience and welfare; and
C. Will not result in material damage or prejudice to other property in the vicinity.
Based on the aforementioned findings, the Lyon County Board of Commissioners approves the release of the 10% Maintenance Bond and acceptance of the Offer of Dedication for roadways in the Riverpark Dunes 3 subdivision.

ATTACHMENTS

- Staff Report

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

MEETING DATE: **DECEMBER 7, 2023** **ITEM #_____**

TITLE:

Approval to RELEASE the 10% MAINTENANCE BOND for the RIVERPARK DUNES 3 Subdivision and ACCEPT the OFFER OF DEDICATION for those portions of Teakwood Road and Saguaro Road, shown on the Final Subdivision Map for Riverpark Dunes 3, for county maintenance.

SUMMARY:

The applicant is requesting the release of the 10% Maintenance Bond for the RIVERPARK DUNES 3 Subdivision.

A Final Subdivision Map was recorded on May 1, 2020, as Document No. 614453. An offer of dedication for the roadways was rejected with an option to accept those improvements at a later date.

A 10% Maintenance Bond was provided at the time the final map recorded with the improvements having been completed prior to map recordation.

The Maintenance Bond can now be released and the offer of dedication of those improvements can be accepted.

All of the improvements are complete and have withstood a maintenance period of over one (1) year. The improvements associated with this subdivision have been inspected and were found to be complete with the roads having been built to Lyon County Standards. Certificates of Completion from the Roads Director, Utilities Director and County Engineer are on file with the Planning Department.

Staff recommends acceptance of the release of the Maintenance Bond and acceptance of the improvements for the Riverpark Dunes 3 Subdivision.

RECOMMENDED ACTION:

The Lyon County Board of Commissioners finds that the requested release of the 10% Maintenance Bond and acceptance for Maintenance of the improvements associated with the Riverpark Dunes 3 subdivision:

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

Based on the aforementioned findings, the Lyon County Board of Commissioners approves the release of the 10% Maintenance Bond and acceptance of the Offer of Dedication for roadways in the Riverpark Dunes 3 subdivision.

For Information:

Louis Cariola, Community Development Director
Kerry Page, Planning Technician

List of Attachments:

Copy of Certificates of Completion
Copy of Maintenance Bond (cash bond)
Copy of recorded Subdivision map

RIVER PARK DUNES, LLC
GENERAL ACCOUNT
P.O. Box 10989
Zephyr Cove Nv 89448
775-241-9191

WELLS FARGO BANK, N .A.
110 HIGHWAY 50, STATELINE, NV 89449
1-4288/121042882

Check No.
1496

Dated: Mar 2 2020

Sixteen Thousand and no/100********** DOLLARS $ 16,000.00

PAY TO THE ORDER OF
Lyon county community Development
27 So Main
Yerrington Nv. 89447

LYOCD
River Park Dunes phase 3 , Mark Twain Nv

Cash Collateral to record final map; PERMI $...

Non negotiable Check copy

121042882 7822139882

VOID VOID

WELLF
RIVER PARK DUNES, LLC
GENERAL ACCOUNT
P.O. Box 10989
Zephyr Cove Nv 89448
775-241-9191

WELLS FARGO BANK, N .A.
110 HIGHWAY 50, STATELINE, NV 89449
1-4288/121042882

Check No. 1496

Dated: Mar 2 2020

River Park Dunes phase 3 , Mark Twain Nv

Sixteen Thousand and no/100********** DOLLARS $ 16,000.00

RPD PHASE 3 MAINTENANCE BOND

Cash Collateral to record final map; PERMI $16... LYOCD

PAY TO THE ORDER OF
5184
Lyon county community Development
27 So Main
Yerrington Nv. 89447

VOID

AUTHORIZED SIGNATURE

⑈1496⑈ ⑆121042882⑆ 7822139882⑈

LYON COUNTY COMMUNITY DEVELOPMENT
PLANNING DIVISION
27 South Main Street
Yerington, NV 89447
Phone: (775) 463-6592 Fax: (775) 463-5305

CERTIFICATE OF COMPLETION

I, David Bruketta, Lyon County Utilities Department Director, do hereby certify that the construction of the improvements within the River Park Dunes, Unit 3 Subdivision located in Dayton, Nevada, which are further identified as municipal water and sewer utility facilities, and related appurtenances, have been completed in accordance with the standards of Lyon County and to the satisfaction of the Lyon County Inspector and do hereby recommend acceptance of the improvements by the Lyon County Board of Commissioners.

Dated this 28 day of February, 2020.

D M Bruketta

David Bruketta,
Lyon County Utilities Department Director

Recording requested by:

Lyon County Comm. Development
Planning Division
27 South Main Street
Yerington, NV 89447

LYON COUNTY COMMUNITY DEVELOPMENT
PLANNING DIVISION
27 South Main Street
Yerington, NV 89447
Phone: (775) 463-6592 Fax: (775) 463-5305

CERTIFICATE OF COMPLETION

I, Dustin Homan, Lyon County Road Director, do hereby certify that the construction of the improvements within the River Park Dunes, Unit 3 Subdivision located in Dayton, Nevada, which are further identified as curb, gutter, sidewalk, asphalt paving, underground utilities, drainage facilities, and related appurtenances, have been completed in accordance with the standards of Lyon County and do hereby recommend acceptance of the improvements by the Lyon County Board of Commissioners.

Dated this 04 day of March, 2020.

Dustin Homan,
Lyon County Road Director

Recording requested by:

Lyon County Comm. Development
Planning Division
27 South Main Street
Yerington, NV 89447

FINAL SUBDIVISION MAP FOR RIVERPARK DUNES UNIT 3

OWNERS' CERTIFICATE:

THIS IS TO CERTIFY THAT THE UNDERSIGNED, RIVERPARK DUNES, LLC IS THE OWNER OF THAT TRACT OF LAND REPRESENTED ON THIS PLAT AND HAS/HAVE CONSENTED TO THE PREPARATION AND RECORDATION OF THIS PLAT AND THAT THE SAME IS EXECUTED IN COMPLIANCE WITH AND SUBJECT TO THE PROVISIONS OF THE NEVADA REVISED STATUTES, CHAPTER 278 AND LYON COUNTY CODE. TITLE 11.

1. THE ACCESS, DRAINAGE, SEWER, PUBLIC UTILITY, ETC. EASEMENTS SHOWN HEREON ARE HEREBY GRANTED AS PERMANENT EASEMENTS FOR THE STATED PURPOSES.

2. THE PUBLIC WAYS, RIGHT-OF-WAYS, ROADS, STREETS, AND AVENUES AS INDENTIFIED HEREON INCLUDING ALL APPURTENANCES THERETO IS/ARE HEREBY OFFERED AND CONVEYED FOR THE DEDICATION TO THE COUNTY OF LYON, STATE OF NEVADA, AND THAT THOSE ACCEPTED BY THE COUNTY OF LYON ARESET APART TO BE A PUBLIC THOROUGHFARE FOREVER.

THE OWNER OF THIS SUBDIVISION MAP AND THEIR HEIRS AND ASSIGNS AND SUCESSORS, AGREE TO PROVIDE NOTICE OF THE PROVISIONS OF NRS 40.140 AND CHAPTER 10.15 OF THE LYON COUNTY CODE TO ANY AND ALL SUBSEQUENT PURCHASERS.

WE DECLARE THAT WE EXECUTED THIS CERTIFICATE FOR THE PURPOSE STATE HEREIN. IN WITNESS WHEREOF, THE UNDERSIGNED HAVE AFFIXED THIER NAMES.

RIVERPARK DUNES, LLC

BY: Henry R. Butler

NAME HENRY R. BUTLER

TITLE MANAGER, RIVERPARK DUNES, LLC

STATE OF NEVADA **S.S.**

COUNTY OF LYON

ON THIS 29TH DAY OF AUGUST, 2019 PERSONALLY APPEARED BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, HENRY R. BUTLER, KNOWN TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHO EXECUTED THE ABOVE INSTRUMENT FOR THE PURPOSES HEREIN STATED.

NOTARY PUBLIC

FREDERICK HAMPTON
Notary Public - State of Nevada
Appointment Recorded in Carson City
No. 17-2656-3 - Expires July 15, 2021

UTILITY COMPANIES' CERTIFICATE

THE UTILITY EASEMENTS SHOWN ON THIS PLAT HAVE BEEN CHECKED, ACCEPTED, AND APPROVED BY THE UNDERSIGNED. THIS APPROVAL DOES NOT GUARANTEE ACCESSIBILTY FOR SERVICE. CATV IS INCLUDED IN ALL PUE's.

BY: DLM Brackett — 2/10/20 DATE

LYON COUNTY UTILITIES

BY: CLIFF COOPER MGR OF PLANNING — 9-16-19 DATE

NEVADA BELL TELEPHONE COMPANY
D/B/A AT&T NEVADA

BY: Anthony Lefebvre - construction coordinator — 9/16/19 DATE

CHARTER COMMUNICATIONS

SOUTHWEST GAS CERTIFICATE

A PUBLIC UTILITY EASEMENT IS HEREBY GRANTED TO SOUTHWEST GAS WITHIN EACH PARCEL AS SHOWN FOR THE EXCLUSIVE PURPOSE OF INSTALLING AND MAINTAINING UTILITY SERVICE FACILITIES TO THAT PARCEL WITH THE RIGHT TO EXIT THAT PARCEL WITH SAID UTILITY FACILITIES FOR THE PURPOSE OF SERVING ADJACENT PARCELS.

SOUTHWEST GAS ~~COMPANY~~ CORPORATION

SIGNATURE : Amanda Marcucci DATE: 9/16/19

PRINTED NAME: Amanda Marcucci

NV ENERGY CERTIFICATE

A PUBLIC UTILITY EASEMENT IS HEREBY GRANTED TO NV ENERGY WITHIN EACH PARCEL AS SHOWN FOR THE EXCLUSIVE PURPOSE OF INSTALLING AND MAINTAINING UTILITY SERVICES FACILITIES TO THAT PARCEL, WITH THE RIGHT TO EXIT THAT PARCEL WITH SAID UTILITY FACILITIES FOR THE PURPOSE OF SERVING ADJACENT PARCELS, AT LOCATIONS MUTUALLY AGREED UPON BY THE OWNER OF RECORD AT THE TIME OF INSTALLATION AND THE UTILITY COMPANY.

SIERRA PACIFIC POWER COMPANY D/B/A NV ENERGY

SIGNATURE : DATE: 9/16/19

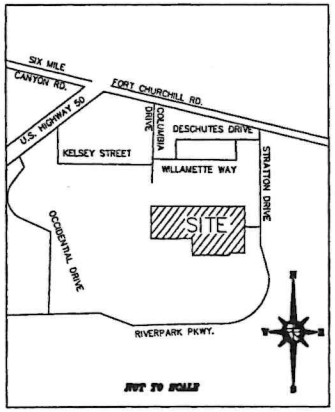
PRINTED NAME: Leland Johnson

TITLE COMPANY CERTIFICATE

THIS IS TO CERTIFY THAT THE PARTIES AS LISTED WITHIN THE OWNER'S CERTIFICATE ARE THE ONLY PARTIES OF RECORD HAVING A RECORD INTEREST IN THE TRACTS OF LAND EMBRACED WITHIN THE GRAPHIC BORDER SHOWN ON THIS PLAT, AND THE LANDS ARE FREE & CLEAR FROM ANY LIENS OR ENCUMBRANCES AND DEED OF TRUST.

TITLE COMPANY: Signature Title Company

BY: Steve Cook Senior Title Officer
PRINT NAME/TITLE



VICINITY MAP

LYON COUNTY REVIEW

THE UNDERSIGNED LYON COUNTY DEPARTMENT HEADS AND LOCAL FIRE DISTRICT HEREBY CERTIFY THAT THE FINAL SUBDIVISION MAP HAS BEEN REVIEWED BY EACH DEPARTMENT OR LOCAL FIRE DISTRICT FOR ALL IMPROVEMENTS THEREOF.

BY: Elizabeth H. Mink — 2/14/2020 DATE
LYON COUNTY FIRE DISTRICT
ELIZABETH H. MINK

BY: DLM Brackett — 2/10/20 DATE
LYON COUNTY ~~PUBLIC WORKS~~ Utilities DB
DAVE BRINETTA

BY: Justin Homan — 2/24/2020 DATE
LYON COUNTY ROAD MANAGER
JUSTIN HOMAN

BY: N/A — DATE
FIRE PROTECTION DISTRICT

BY: — 2/20/20 DATE
LYON COUNTY ASSESSOR (ASTO OWNERSHIP)

COMMUNITY DEVELOPMENT DEPARTMENT AND PLANNING COMMISSION CERTIFICATE

THIS FINAL PLAT WAS REVIEWED BY THE PLANNING DEPARTMENT ON THE 3rd DAY OF January, 2019. THE PLAT HAS BEEN EXAMINED AND FOUND TO BE IN SUBSTANTIAL CONFORMANCE WITH THE TENTATIVE MAP APPROVED BY THE BOARD OF COMISSIONERS ON THE 3rd DAY OF November, 2016, AND ALL CONDITIONS IMPOSED UPON THE APPROVAL HAVE BEEN SATISFIED.

IN ADDITION, ALL OFFERS OF DEDICATION FOR THE PUBLIC ROADWAYS AND OTHER PUBLIC USES WERE REJECTED WITH THE RESERVATION TO ACCEPT SAID OFFERS AT A LATER DATE.

BY: Jeff Page — 4-29-2020 DATE
COMMUNITY DEVELOPMENT DIRECTOR
JEFF PAGE

BY: April 29, 2020 Betty Retzer — DATE
PLANNING COMMISSION CHAIRMAN
BETTY RETZER

NEVADA DIVISION OF ENVIRONMENTAL PROTECTION

~~NEVADA BUREAU OF SAFE DRINKING WATER~~

THIS FINAL MAP IS APPROVED BY THE NEVADA DIVISION OF ENVIRONMENTAL PROTECTION OF THE DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES. THIS APPROVAL CONCERNS SEWAGE DISPOSAL, WATER POLLUTION, WATER QUALITY AND WATER SUPPLY FACILITIES AND IS PREDICATED UPON PLANS FOR A PUBLIC WATER SUPPLY AND A COMMUNITY SYSTEM FOR DISPOSAL OF SEWAGE.

April Holb, P.E. — 1-9-2020 DATE:

~~ENVIRONMENTAL PROTECTION SUPERVISOR~~

NEVADA DIVISION OF ENVIRONMENTAL PROTECTION, BUREAU OF WATER POLLUTION CONTROL

DIVISION OF WATER RESOURCES CERTIFICATE

THIS FINAL MAP IS APPROVED BY THE STATE OF NEVADA DIVISION OF WATER RESOURCES OF THE DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES CONCERNING WATER QUANTITY, SUBJECT TO THE REVIEW OF APPROVAL ON FILE IN THIS OFFICE.

Melonie J. Wilson P.E. — 1/9/20 DATE

BY: ~~MARK GHALEB~~ SECTION CHIEF, WATER RIGHTS
DIVISION OF WATER RESOURCES
Melonie J. Wilson

RIGHT TO FARM

THE LANDS SHOWN HEREON ARE SUBJECT TO THE PROVISIONS OF NEVADA REVISED STATUTES 40.140 AND CHAPTER ~~10.28~~ 10.29 OF THE LYON COUNTY CODE. THE RIGHT TO FARM. LYON COUNTY HAS DETERMINED THAT THE HIGHEST AND BEST USE FOR AGRICULTURAL LAND IS TO DEVELOP OR PRESERVE SAID LANDS FOR THE PURPOSES OF AGRICULTURAL OPERATIONS AND IT WILL NOT CONSIDER THE INCONVENIENCES OR DISCOMFORTS ARISING FROM OR RELATED TO AGRICULTRUAL OPERATIONS TO BE A PRECEIVED NUISANCE IF SUCH OPERATIONS ARE LEGAL, CONSISTENT WITH ACCEPTED CUSTOMS AND STANDARDS AND OPERATED IN A NON-NEGLIGENT MATTER.

SURVEYOR'S CERTIFICATE:

I, MICKI J. JEFFERSON, A PROFESSIONAL LAND SURVEYOR, LICENSED IN THE STATE OF NEVADA, CERTIFY THAT:

1. THIS PLAT REPRESENTS THE RESULTS OF A SURVEY CONDUCTED UNDER MY SUPERVISION AT THE INSTANCE OF, RIVERPARK DUNES, LLC.
2. THE LANDS SURVEYED LIE WITHIN A PORTION OF THE SE 1/4 OF SECTION 33, T17N., R22E., M.D.M., LYON COUNTY, NEVADA AND THE SURVEY WAS COMPLETED ON MARCH 16, 2018
3. THIS PLAT COMPLIES WITH THE APPLICABLE STATE STATUTES AND ANY LOCAL ORDINANCES.
4. THE MONUMENTS DEPICTED ON THE PLAT WILL BE OF THE CHARACTER SHOWN AND OCCUPY THE POSITIONS INDICATED.

PROFESSIONAL LAND SURVEYOR STATE OF NEVADA
MICKI J. JEFFERSON
No. 12139
11/27/19

DATE: May 8, 2019
MICKI J. JEFFERSON, P.L.S.
NEVADA CERTIFICATE NO. 12139

5/8/19

BOARD OF COUNTY COMMISSIONER'S APPROVAL

APPROVED AND ACCEPTED BY THE LYON COUNTY BOARD OF COMMISSIONERS AT THEIR MEETING HELD ON THE 16 DAY OF April, 2020

Lisa Glan / deputy — 4/30/20 DATE

NIKKI BRYAN
LYON COUNTY CLERK

COUNTY ENGINEER'S CERTIFICATE:

I Charles L. Reno P.E. CERTIFY THAT I HAVE EXAMINED THE FINAL MAP OF RIVERPARK DUNES UNIT 2C IN THE SOUTHEAST ONE-QUARTER (SE1/4) OF SECTION 33, TOWNSHIP 20 NORTH, RANGE 24 EAST, M.D.M., AS SHOWN ON THIS PLAT, THAT IT IS SUBSTANTIALLY AS IT APPEARS ON THE APPROVED TENTATIVE MAP AND I AM SATISFIED THAT THIS MAP IS TECHNICALLY CORRECT.

2/18/20 DATE

BY: Charles Reno P.E., COUNTY ENGINEER

COUNTY CLERK/TREASURER CERTIFICATE:

I, NIKKI BRYAN, LYON COUNTY CLERK/TREASURER, HEREBY CERTIFY THAT THERE ARE NO LIENS FOR UNPAID STATE, COUNTY, CITY OR LOCAL TAXES OR SPECIAL ASSESSMENTS AND THAT ALL TAXES FOR THE FISCAL YEAR HAVE BEEN PAID ON THIS PROPERTY THAT IS THE SUBJECT OF THIS MAP.

A.P.N. 019-924-14

LYON COUNTY CLERK/TREASURER

Lisa Glan / deputy — 4/30/20 DATE
NIKKI BRYAN, LYON COUNTY CLERK / TREASURER

LYON COUNTY DIGITAL COPY NOTE

A DIGITAL COPY OF THIS PLAT HAS BEEN SENT TO THE GIS DEPARTMENT. PDF only.

Kerry Page 4-29-2020
KERRY PAGE, PLANNING ASSISTANT

RECORDER'S CERTIFICATE:

FILED FOR RECORD AT THE REQUEST OF RiverPark Dunes LLC ON THIS 14th DAY OF May, 2020, AT 21 MINUTES PAST 9 O'CLOCK, A. M., IN THE OFFICIAL RECORDS OF LYON COUNTY, NEVADA.

RECORDING FEE: $85.00 — Margie Kaaserbaum, LYON COUNTY RECORDER

FILE NO. 614453 — BY: Cynthia Smith, Chief Deputy Recorder

FINAL SUBDIVISION PLAT FOR

RIVERPARK DUNES UNIT 3

A RESIDENTIAL SUBDIVISION

A DIVISION OF REMAINDER PARCEL 2A OF SUBDIVISION MAP NO. 575998
BEING A PORTION OF THE SE 1/4 OF SECTION 33, TOWNSHIP 17 NORTH, RANGE 22 EAST, MOUNT DIABLO MERIDIAN

LYON COUNTY NEVADA

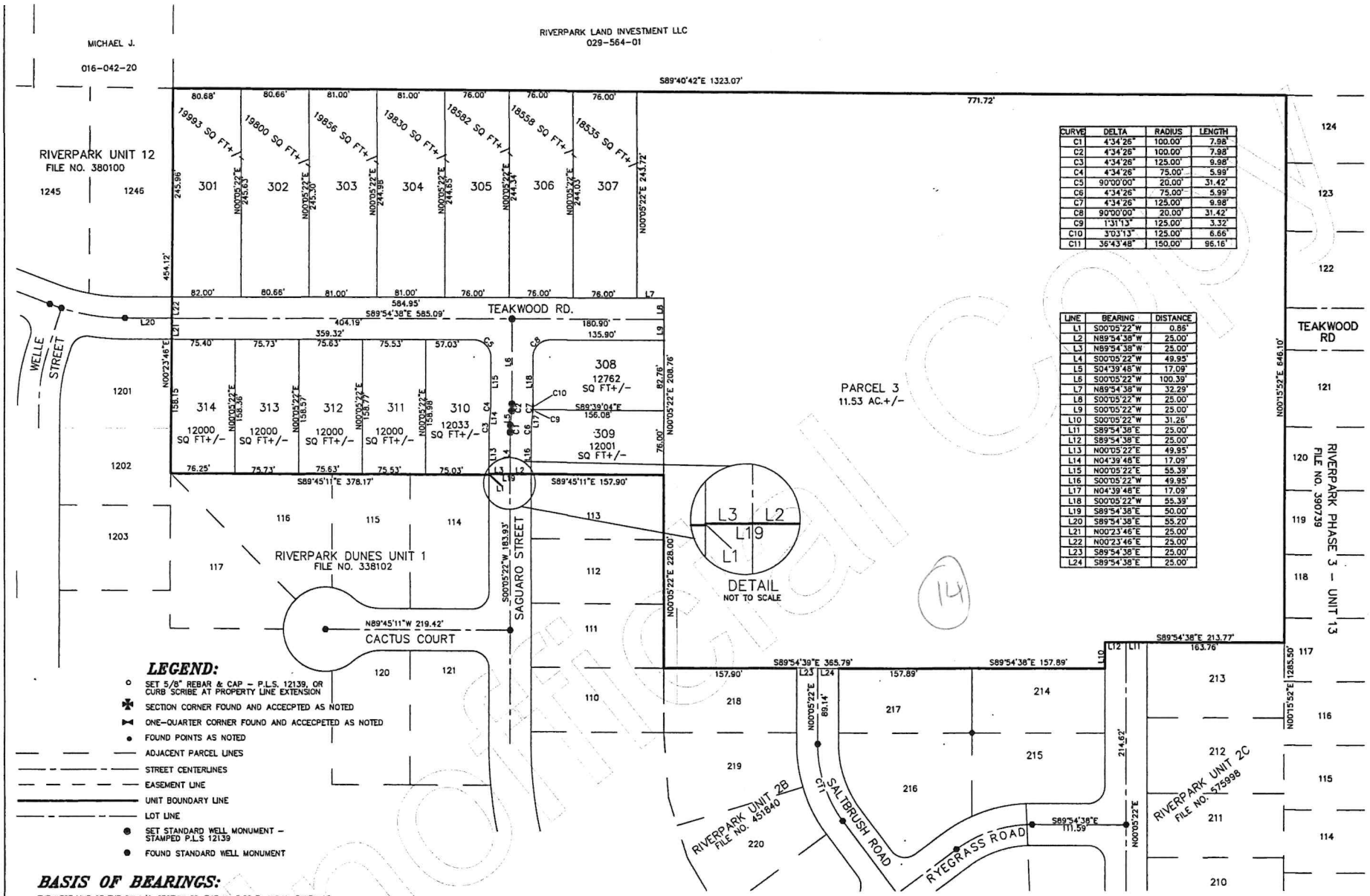
TRI STATE SURVEYING, LTD
1925 E. PRATER WAY
SPARKS, NEVADA 89434
(775) 358-9491 • FAX # 358-3664

JOB #16152.02.RC

SHEET 1 OF 3

* Certificate of Amendment #616172 recorded 6-9-20

Doc# 614453 5/8/2020 1 of 3



CURVE	DELTA	RADIUS	LENGTH
C1	4°34'26"	100.00'	7.98'
C2	4°34'26"	100.00'	7.98'
C3	4°34'26"	125.00'	9.98'
C4	4°34'26"	75.00'	5.99'
C5	90°00'00"	20.00'	31.42'
C6	4°34'26"	75.00'	5.99'
C7	4°34'26"	125.00'	9.98'
C8	90°00'00"	20.00'	31.42'
C9	1°31'13"	125.00'	3.32'
C10	3°03'13"	125.00'	6.66'
C11	36°43'48"	150.00'	96.16'

LINE	BEARING	DISTANCE
L1	S00°05'22"W	0.86'
L2	N89°54'38"W	25.00'
L3	N89°54'38"W	25.00'
L4	S00°05'22"W	49.95'
L5	S04°39'48"W	17.09'
L6	S00°05'22"W	100.39'
L7	N89°54'38"W	32.29'
L8	S00°05'22"W	25.00'
L9	S00°05'22"W	25.00'
L10	S00°05'22"W	31.26'
L11	S89°54'38"E	25.00'
L12	S89°54'38"E	25.00'
L13	N00°05'22"E	49.95'
L14	N04°39'48"E	17.09'
L15	N00°05'22"E	55.39'
L16	S00°05'22"W	49.95'
L17	N04°39'48"E	17.09'
L18	S00°05'22"W	55.39'
L19	S89°54'38"E	50.00'
L20	S89°54'38"E	55.20'
L21	N00°23'46"E	25.00'
L22	N00°23'46"E	25.00'
L23	S89°54'38"E	25.00'
L24	S89°54'38"E	25.00'

LEGEND:

- SET 5/8" REBAR & CAP – P.L.S. 12139, OR CURB SCRIBE AT PROPERTY LINE EXTENSION
- SECTION CORNER FOUND AND ACCEPTED AS NOTED
- ONE-QUARTER CORNER FOUND AND ACCEPTED AS NOTED
- FOUND POINTS AS NOTED
- ADJACENT PARCEL LINES
- STREET CENTERLINES
- EASEMENT LINE
- UNIT BOUNDARY LINE
- LOT LINE
- SET STANDARD WELL MONUMENT – STAMPED P.L.S 12139
- FOUND STANDARD WELL MONUMENT

BASIS OF BEARINGS:

THE WEST LINE OF THE SW 1/4, SECTION 33, T.17 N., R.22 E., M.D.M., TAKEN AS N. 00°25'33" E., AS ON ON A MAP INTO LARGE PARCELS", MAP NO. 232386, AS RECORDED ON APRIL 14, 1999, IN THE OFFICE OF THE LYON COUNTY RECORDER.

NOTES:

1. PUBLIC UTILITY EASEMENTS ARE HEREBY GRANTED, 10 FEET IN WIDTH COINCIDENT WITH ALL DEDICATED STREET RIGHT-OF-WAYS, 5 FEET IN WIDTH COINCIDENT WITH ALL OTHER EXTERIOR BOUNDARIES AND 10 FEET IN WIDTH CENTERED ON ALL INTERIOR LOT LINES.
2. A PUBLIC UTILITY EASEMENT IS ALSO HEREBY GRANTED WITHIN EACH LOT FOR THE EXCLUSIVE PURPOSE OF INSTALLING AND MAINTAINING UTILITY SERVICES FACILITIES TO THAT LOT AND THE RIGHT TO EXIT THAT LOT WITH SAID UTILITY FACILITIES FOR THE PURPOSE OF SERVING OTHER LOTS AT LOCATIONS MUTUALLY AGREED UPON BY THE OWNER OF RECORD AT THE TIME OF INSTALLATION AND THE UTILITY COMPANY.
3. ALL PUBLIC UTILITY EASEMENTS SHOWN OR NOTED HEREON INCLUDE THE USE FOR INSTALLATION AND MAINTENANCE OF CABLE TELEVISION FACILITIES.
4. A PRIVATE DRAINAGE EASEMENT, 5 FEET IN WIDTH COINCIDENT ALL REAR LOT LINES AND 10 IN WIDTH CENTERED ON ALL INTERIOR LOT LINES IS ALSO GRANTED FOR THE EXCLUSIVE PURPOSE OF PROVIDING DRAINAGE FOR THE MUTUAL BENEFIT OF ADJOINING LOT OWNERS, SAID EASEMENT TO BE RELOCATABLE WITH THE ADJUSTMENT OF BOUNDARY LINES AS AGREED UPON BY THE ADJOINING LOT OWNERS.

REFERENCES

1. FINAL SUBDIVISION MAP FOR RIVERPARK DUNES UNIT 2A, RECORDED SEPTEMBER 5, 2007 AS FILE No. 413360, OFFICIAL RECORDS, LYON COUNTY, NEVADA.
2. FINAL SUBDIVISION MAP FOR RIVERPARK DUNES UNIT 2B, RECORDED DECEMBER 3, 2009 AS FILE No. 451840, OFFICIAL RECORDS, LYON COUNTY, NEVADA.
3. FINAL SUBDIVISION MAP FOR RIVERPARK DUNES UNIT 1, RECORDED DECEMBER 14, 2004 AS FILE No. 338102, OFFICIAL RECORDS, LYON COUNTY, NEVADA.
4. FINAL SUBDIVISION MAP FOR RIVERPARK DUNES PHASE 3, UNIT 13, RECORDED SEPTEMBER 14, 2006, AS FILE No. 390739, OFFICIAL RECORDS, LYON COUNTY, NEVADA.
5. FINAL SUBDIVISION MAP FOR RIVERPARK DUNES UNIT 9, RECORDED MAY 5, 2005, AS FILE No. 350062, OFFICIAL RECORDS, LYON COUNTY, NEVADA.
6. FINAL SUBDIVISION MAP FOR RIVERPARK UNIT 12, RECORDED APRIL 20, 2006, AS FILE No. 350062, OFFICIAL RECORDS, LYON COUNTY, NEVADA.
7. PARCEL MAP FOR RIVERPARK PROPERTIES, LLC, RECORDED AUGUST 13, 2003 AS FILE No. 302043, OFFICIAL RECORDS LYON COUNTY, NEVADA.
8. FINAL SUBDIVISION MAP FOR RIVERPARK DUNES UNIT 2C, RECORDED FEBRUARY 2, 2018 AS FILE No. 575998, OFFICIAL RECORDS, LYON COUNTY, NEVADA.

11/27/19

8/8/19

TOTAL AREA = 17.44 ACRES+/-

AREA OF LOTS (14) = 4.76 AC.+/-
AREA OF PARCEL 3 (REMAINDER) =11.53 AC.+/-
AREA OF STREET= 37346 SQFT+/-

FINAL SUBDIVISION PLAT FOR

RIVERPARK DUNES UNIT 3

A RESIDENTIAL SUBDIVISION

A DIVISION OF REMAINDER PARCEL 2A OF SUBDIVISION MAP NO. 575998
BEING A PORTION OF THE SE 1/4 OF SECTION 33, TOWNSHIP 17 NORTH, RANGE 22 EAST, MOUNT DIABLO MERIDIAN

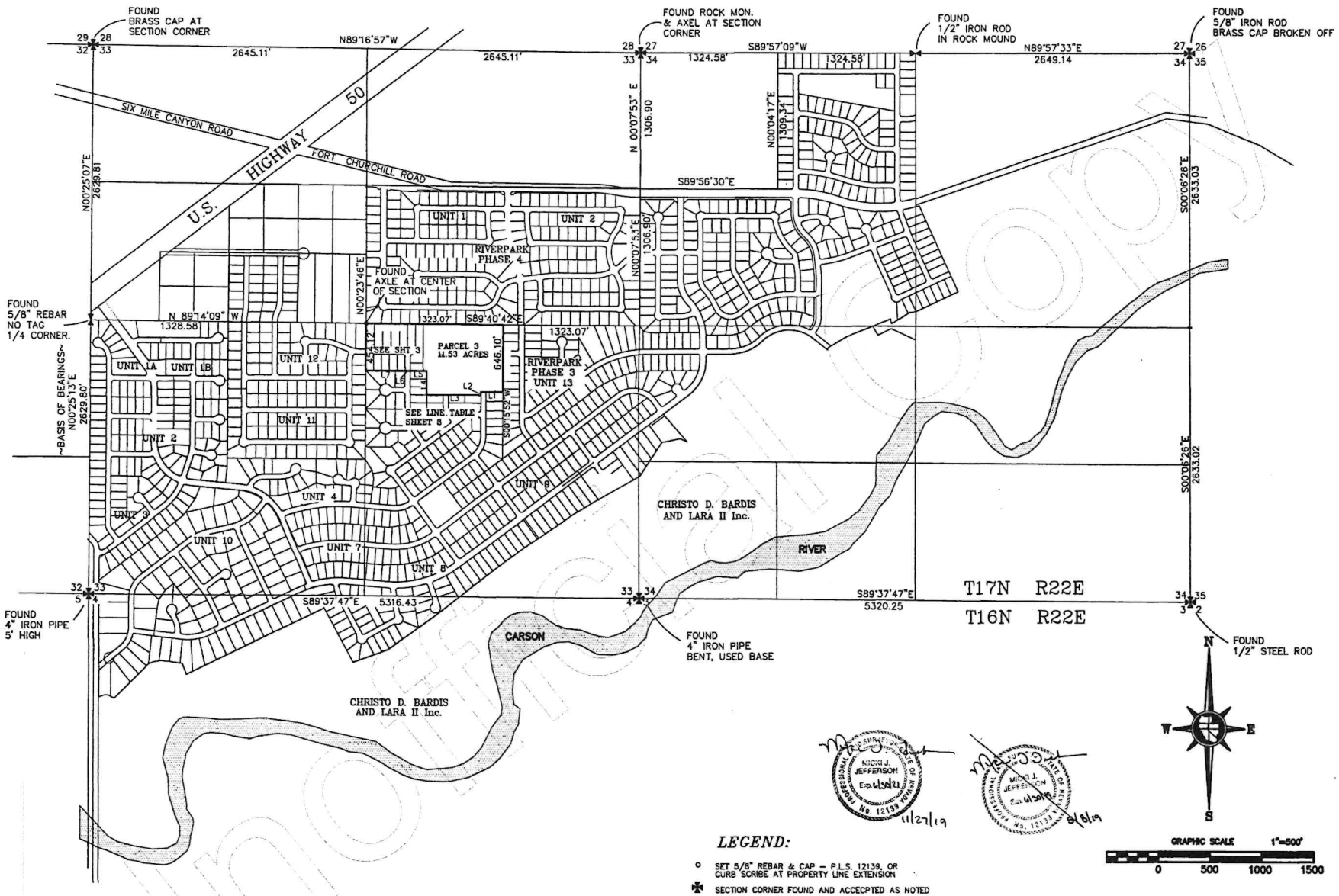
LYON COUNTY NEVADA

TRI STATE SURVEYING, LTD
1925 E. PRATER WAY
SPARKS, NEVADA 89434
(775) 358-9491 • FAX # 358-3664

JOB NO. 16152.02.RC
SHEET 3 OF 3

* Certificate of Amendment #616172 recorded 6-9-20

Doc #614453 5/01/2020 3 of 3



MICHAEL J. JEFFERSON PROFESSIONAL LAND SURVEYOR STATE OF NEVADA No. 12139 11/27/19

MICHAEL J. JEFFERSON PROFESSIONAL LAND SURVEYOR STATE OF NEVADA No. 12139 5/6/19

LEGEND:

- SET 5/8" REBAR & CAP – P.L.S. 12139, OR CURB SCRIBE AT PROPERTY LINE EXTENSION
- SECTION CORNER FOUND AND ACCECPTED AS NOTED
- ONE-QUARTER CORNER FOUND AND ACCECPTED AS NOTED.
- FOUND POINT AS NOTED
- ADJACENT PARCEL LINES
- STREET CENTERLINES
- EASEMENT LINE
- UNIT BOUNDARY LINE
- LOT LINE
- SET STANDARD WELL MONUMENT – STAMPED P.L.S. 12139
- FOUND STANDARD WELL MONUMENT

TOTAL AREA = 17.44 ACRES+/-

AREA OF LOTS (14) = 4.76 AC.+/-
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FINAL SUBDIVISION PLAT FOR

RIVERPARK DUNES UNIT 3

A RESIDENTIAL SUBDIVISION

A DIVISION OF REMAINDER PARCEL 2A OF SUBDIVISION MAP NO. 575998
BEING A PORTION OF THE SE 1/4 OF SECTION 33, TOWNSHIP 17 NORTH, RANGE 22 EAST, MOUNT DIABLO MERIDIAN

LYON COUNTY *NEVADA*

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JOB NO. 16152.02.RC

SHEET 2 OF 3

* Certificate of Amendment #616172 recorded 6-9-20

Doc #614452 5/01/2020 3 of 3

Lyon County Board of County Commissioners Agenda Summary

Meeting Date: December 7, 2023

Agenda Item Number:
12.f

Subject:
For Possible Action: Approve Indigent Defense Conflict Counsel Agreement with Silver State Law.

Summary:
This proposed contract with Silver State Law (SSL) would make SSL Lyon County's primary conflict counsel. Under the contract, SSL would take at least 6 conflict cases per month on average starting in January 2024. The contract would not change the overall volume of the conflict work; rather, SSL will handle more of the conflict work. The 6-case minimum is intended to reduce delays and administrative burden associated with trying to find coverage for conflict matters on short notice among a panel of over 15 different conflict firms with limited availability. SSL will receive $200/hour for attorney time on non-capital felonies and gross misdemeanors, and $150/hour for attorney time on other categories of cases. The cost of SSL's services pursuant to this contract are, like the services of all other conflict counsel, reimbursed by the State of Nevada because they all fall above Lyon County's maximum contribution cap per State indigent defense regulations. There is no anticipated fiscal impact to Lyon County as the State should reimburse this cost.

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:
Approve attached agreement.

ATTACHMENTS
- Silver State Law Contract January 1, 2024

AGREEMENT FOR PUBLIC DEFENDER SERVICES

This Agreement is entered into this 1th day of January, 2024 by and between LYON COUNTY (hereinafter "Contracting Authority") and SILVER STATE LAW (hereinafter "Contractor").

WHEREAS, the right to counsel in certain criminal matters is guaranteed by the United States Constitution, the Nevada Constitution, and the Nevada Revised Statutes (NRS); and

WHEREAS, the Contracting Authority is required by law to appoint a public defender to provide counsel in such matters to eligible indigent persons; and

WHEREAS, the Contracting Authority desires to contract with private law firms to serve as its public defenders; and

WHEREAS, the Contractor is a private law firm that desires to serve as one of the Contracting Authority's public defenders and warrants that it has the means and ability to do so in a zealous and competent manner; and

WHEREAS, both parties desire to reduce the entirety of their agreement to writing in this document (hereinafter "this Agreement"), and intend for all funds paid under this Agreement to be used for the sole purpose of providing indigent defense services to eligible clients of the Contractor;

NOW, THEREFORE, the parties agree as follows:

I. DEFINITIONS

As used in this Agreement, the underlined words below shall have the following meanings:

1. Appointing Authority: The judge, justice, or master presiding over a Case arising in a court of law within Lyon County.

2. Case: A "Case" shall have the meaning prescribed to it in Sec. 5 of the Regulations.

    a. Misdemeanor Case: A Case in which the highest charge is a Misdemeanor.

    b. Category B, C, D, or E Felony or Gross Misdemeanor Case: 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 less than ten (10) years imprisonment.

    c. Category B Felony (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.

d. Non-Capital Category A Case: A Case in which the highest charge is a non-capital Category A Felony.

e. Capital Case: A Case in which the highest charge is a capital Category A felony.

f. Juvenile Proceedings: A Case arising under NRS 432B and/or a Case in which a juvenile is alleged to be delinquent or need of supervision.

g. Appeal: Any appeal of an interlocutory adjudication or Final Adjudication in a Case to the Third Judicial District or the Nevada Supreme Court.

3. 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.

4. Case Acceptance Rate: Acceptance at least six (6) new Case assignments per month on average. This average shall be calculated on a rolling twelve (12) month basis, starting on January 1, 2024. As of that date, the total new Case assignments accepted by the Contractor over the preceding twelve (12) months shall be divided by twelve (12), and the result must equal or exceed six (6) Cases per month to meet the Case Acceptance Rate. The average shall be recalculated on the first (1st) day of each subsequent month in the same manner, and it must remain equal to or greater than six (6) Cases per month to meet the Case Acceptance Rate.

5. Cause: Cause for immediate termination of this Agreement. Cause for such termination shall exist in the event of:

   a. A material breach of this Agreement by the Contractor, including without limitation failure to provide Representational Services to Eligible Clients; failure to comply with reporting obligations; failure to utilize qualified attorneys; failure to meet performance standards; failure to adhere to the Nevada Rules of Professional Conduct; or any other failure from which it could reasonably be discerned that public funds are not being responsibly used for the provision of indigent defense services as required in this Agreement and in compliance with all applicable laws, rules, and regulations.

   b. A material breach of this Agreement by the Contracting Authority, such as non-payment of compensation without justification, failure to provide reimbursement for reasonable Case-Related Expenses, or failure to offer at least six (6) new Cases for assignment per month on average such that the Contractor can meet the Case Acceptance Rate.

6. Department: The Nevada Department of Indigent Defense Services.

7. Effective Date: The Effective Date of this Agreement shall be January 1, 2024.

8. Eligible Client: An indigent person whom an Appointing Authority has determined to be eligible for a court-appointed attorney pursuant to Section 8 of the Temporary Regulations of the Board of Indigent Defense Services, in a Case arising in a court of law within Lyon County.

9. Final Adjudication: "Final Adjudication" shall have the meaning prescribed to it in Section 46(4)(d) of the Regulations.

10. Plan: Lyon County's Plan for the Provision of Indigent Defense Services.

11. Regulations or Reg.: The Regulations of the Board of Indigent Defense Services.

12. Representational Services: All services part and parcel of the Contractor's delivery of competent, zealous legal representation to Eligible Clients under this Agreement. Such services may include, without limitation: investigation; interviews of clients and potential witnesses; review of physical evidence; legal research; preparation of pleadings, briefs, correspondence, exhibits, or other documents; preparation for and attendance at hearings and conferences; expert witness selection, discovery, and preparation; pretrial advocacy; trial advocacy; sentencing advocacy; appellate advocacy; plea bargaining; and any and all other services needed to provide competent, zealous legal representation from the beginning of a Case through Final Adjudication and, if applicable, through Appeal.

II. APPOINTMENT OF PUBLIC DEFENDER; TERM OF APPOINTMENT; EARLY TERMINATION

Pursuant to NRS 260.010(2) and Title 1, Chapter 9 of Lyon County Code, the Contractor shall be appointed as a public defender for the Contracting Authority.

The term of the Contractor's appointment shall be one (1) year, commencing on the Effective Date of this Agreement. This term shall automatically renew on an annual basis thereafter unless either party gives written notice to the other of its intent not to renew prior to January 1st.

This term and any subsequent annual renewal thereof may be terminated early by either party without Cause upon ninety (90) days written notice. This term and any subsequent annual renewal thereof may be terminated early by either party for Cause at any time.

In the event of termination, the Contractor shall take all professionally-responsible action to ensure an orderly transition of counsel that does not prejudice the rights or defense of Eligible Clients.

III. SCOPE OF SERVICES

The Contractor shall be part of a panel of attorneys authorized to provide Representational Services to Eligible Clients within Lyon County when the Contracting Authority's primary public defender, Walther Law Offices, PLLC, has a conflict of interest or otherwise cannot represent all Eligible Clients in a matter.

In the event Walther Law Offices, PLLC has a conflict of interest in a Case for which the Contractor is qualified to provide Representational Services, the Contractor shall have a right of first refusal to accept assignment to that Case; i.e., the Contractor shall be notified before other conflict attorneys on the panel and given the opportunity to accept the Case assignment. The Contractor shall have twenty-four (24) hours from such notification to accept the Case assignment. If the Contractor does not accept the Case assignment within twenty-four (24) hours, its right of first refusal shall be waived and the Case may be assigned to another conflict attorney. Such waiver shall not, however, preclude subsequent assignment of the Case to the Contractor in the event of unavailability of other conflict attorneys or for any other reason consistent with the Contracting Authority's Plan. The Contractor shall accept a sufficient number of Case assignments to meet the Case Acceptance Rate.

The Contractor shall not accept Case assignments to the extent doing so would violate any provision of the Nevada Rules of Professional Conduct, including but not limited to the provisions concerning its own conflicts of interest. The Contractor will refer to the Nevada Rules of Professional Conduct, as interpreted by the State Bar of Nevada and/or opinions of the State judiciary, and to the American Bar Association Standards for Criminal Justice to determine the existence and appropriate resolution of conflicts of interest. If a conflict of interest exists, the Contractor will promptly file an appropriate motion or follow the procedure for handling conflicts of interest provided in the Contracting Authority's Plan.

IV. ATTORNEYS; ATTORNEY QUALIFICATIONS; PERFORMANCE STANDARDS; TRAINING

1. Attorneys: The Contractor shall maintain a list of all attorneys who will perform Representational Services under this Agreement. The list shall specify, for each attorney, the category(ies) of Case(s) in which the attorney is qualified to provide Representational Services. The Contractor shall provide a copy of this list to the Contracting Authority within thirty (30) days of the Effective Date and in the event of any subsequent change to the list.

2. Attorney Qualifications: It shall be the sole responsibility of the Contractor to ensure all attorneys providing Representational Services to Eligible Clients under this Agreement maintain all requisite qualifications for the category(ies) of Case(s) in which they are providing Representational Services. To ensure the ability, training, and experience of an attorney match the complexity of a given Case, the Contractor shall demonstrate compliance with the standards and regulations of the Department pertaining to training, education, and qualifications. The Contractor shall further ensure attorneys performing Representational Services in a particular category of Case under

this Agreement are qualified by the Department to perform such services in that category of Case.

3. Performance Standards: It shall be the sole responsibility of the Contractor to ensure the attorneys whom it employs or with whom it contracts to perform its obligations under this Agreement:

    a. Provide zealous, competent Representational Services in all Cases;
    b. Comply with the requirements of the Department and the Nevada Indigent Defense Standards of Performance;
    c. Comply with all applicable laws and regulations (including the Reg., as may be amended);
    d. Comply with the Nevada Rules of Professional Conduct; and
    e. Comply with the Contracting Authority's Plan.

    The Contractor shall also ensure, to the greatest extent practicable, consistency in the representation of Eligible Clients such that the same attorney represents an Eligible Client through every stage of a Case. Nothing in this paragraph shall be construed to prohibit the Contractor from delegating appropriate administrative tasks to support staff, or to prohibit the Contractor from assigning 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.

4. Training: Ongoing professional training is a necessity for an attorney to keep abreast of changes and developments in the law and assure continued rendering of competent assistance of counsel. The Contractor shall ensure attorneys providing Representational Services under this Agreement annually complete a minimum of five (5) hours of continuing legal education relevant to the areas in which they practice and satisfy any other training requirements mandated by the Department.

V. WORKLOAD

If required by the Department, the Contractor shall participate in any Department workload study to determine an appropriate caseload for individual attorneys providing Representational Services under this Agreement. Prior to the completion of a workload study, the Contractor shall reasonably comply with the workload guidelines as determined by the Department. After completion of the study, the Contractor shall ensure sufficient staffing to comply with any resultant workload guidelines.

VI. OFFICES AND STAFFING

The expense of office space, furniture, equipment, technology, software, legal research database access, supplies, and personnel suitable for conduct of the Contractor's practice of law are the sole responsibility of the Contractor. The Contractor's expenses described in this paragraph are not a charge against the County as provided in NRS 260.040(5) and are not considered Case-

Related Expenses. The Contractor may at its discretion use legal interns as part of its staffing, provided such usage complies with SCR 49.5

VII. REPORTING

The Contractor shall report quarterly to the Lyon County Manager and Board of Commissioners any information the Contracting Authority reasonably deems pertinent, including, without limitation, any information required under the Plan and/or the Reg. The Contracting Authority shall approve the format in which such quarterly reports are provided.

The Contractor shall also report to the Department any information necessary for the oversight of indigent defense services in Lyon County, as required and specified in the Regulations.

In no event shall the Contractor be required to provide any information that would compromise client confidentiality, prejudice the rights or defense of any Eligible Client, or violate any provision of the Nevada Rules of Professional Conduct.

VIII. INSURANCE

The Contractor will maintain adequate liability insurance, including errors and omissions coverage and general liability coverage, in policy limits of at least five hundred thousand dollars ($500,000.00) per occurrence during the term of this Agreement. The Contractor shall also maintain workers compensation insurance for its personnel as required by Nevada Law. The Contractor shall provide proof of all such insurance coverage to the Contracting Authority within thirty (30) days of the Effective Date of this Agreement. The insurance policies must be written by an insurance carrier authorized to issue the policies in the State of Nevada. The premium expense for all insurance coverage required in this Section is the sole responsibility of the Contractor.

IX. COMPENSATION

The Contractor shall be compensated:

1. At the rate of TWO HUNDRED DOLLARS and 00/100 CENTS ($200.00) per hour for attorney time spent providing Representational Services in the following categories of cases: Non-Capital Category A Cases; Category B Felony (10+ year maximum); Category B, C, D, or E Felony or Gross Misdemeanor Cases; and Appeals. The Contractor shall be compensated at the same rate for attorney travel time reasonably necessary to provide Representational Services in these categories of Cases.

2. At the rate of ONE HUNDRED AND SEVENTY-FIVE DOLLARS and 00/100 CENTS ($175.00) per hour for attorney time spent providing Representational Services in Misdemeanor Cases and Juvenile Proceedings. The Contractor shall be

compensated at the same rate for attorney travel time reasonably necessary to provide Representational Services in these categories of Cases.

3. At a rate to be negotiated separately by the parties in the event of an assignment to serve as lead counsel or co-counsel in a Capital Case.

4. The foregoing rates may be adjusted by mutual written assent of the Contractor's Managing Partner and the Lyon County Manager.

The Contractor shall submit a monthly invoice for all fees set forth above, with time entries rounded to the nearest one tenth (1/10) hour. The Contractor shall deliver the invoice to the Department within ten (10) days of the end of the month in which the services were rendered. Submission, review, and payment of invoices shall be in accordance with the Contracting Authority's Plan, the terms of which are incorporated herein by reference.

The Contractor acknowledges and agrees the provisions of NRS 7.125 do not apply, and the Contractor is not entitled to any compensation or reimbursement pursuant to NRS 7.125. The compensation provided for in this Section is in lieu of the statutorily prescribed fees under NRS 7.125.

X. REIMBURSEMENT OF CASE-RELATED EXPENSES

The Contractor may secure reimbursement for Case-Related Expenses in the manner set forth under the Contracting Authority's Plan, the terms of which are incorporated herein by reference. All other expenses are the sole responsibility of the Contractor. Expenses for which the Contractor is solely responsible include, without limitation: wages, benefits, or other compensation of Contractor's personnel; costs associated with procuring office space; costs associated with office technology, software, and equipment; and all other costs commonly attendant to operating a private law practice.

XI. INDEPENDENT CONTRACTOR; PRIVATE LAW PRACTICE

This Agreement is for professional services as an independent contractor and does not create any employer/employee relationship between the Contracting Authority and the Contractor, its employees, or its affiliates. The Contracting Authority does not control the means by which the Contractor provides services. The Contracting Authority is not responsible for withholding income tax or other taxes in payments to the Contractor, procuring workers' compensation insurance for the Contractor, or providing group insurance, retirement, and other benefits available to Lyon County employees.

The Contractor may maintain a private law practice and may engage in the private practice of law which does not conflict with its obligations under this Agreement. The Contractor agrees not to file, or 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 except when doing so would not materially adverse to Lyon County's interests.

Nothing herein shall be construed to preclude the Contractor from commencing appropriate proceedings in the event of a fee dispute or other dispute arising out of the parties' respective obligations under this Agreement.

XII. ASSIGNMENT AND DELEGATION

The Contractor's rights and obligations under this Agreement are not assignable to any other law firm or third party without the express approval of the Contracting Authority.

XIII. DEFENSE AND INDEMNIFICATION

To the extent allowed under Nevada Law, the Contractor shall defend, indemnify, and hold harmless the Contracting Authority, its officers, agents, and employees from and against all claims, suits, or asserted damages arising from the Contractor's provision of Representational Services under this Agreement. Contractor's liability is limited to its pro-rata share of the adjudicated claim, if any.

XIV. ENTIRE AGREEMENT; MODIFICATIONS

This Agreement constitutes the entire agreement between the parties. It may be amended or modified only by a written modification duly executed by both parties.

XV. GOVERNING LAW; CHOICE OF FORUM

This Agreement shall be interpreted in accordance with the laws of the State of Nevada. Because both parties have participated in drafting of this Agreement, it shall not be construed against either drafter. Any action to enforce any provision in this Agreement shall be brought in the Third Judicial District Court in Lyon County, Nevada.

Agreed:

Contractor	Dave Hockaday, Chair Lyon County Board of Commissioners
Date: 11-21-2023	Date:

Lyon County Board of County Commissioners Agenda Summary

Meeting Date: December 7, 2023

Agenda Item Number:
12.g

Subject:
For Possible Action: Approve a revised Lyon County Department of Transportation (DOT) Drug and Alcohol Testing Policy

Summary:
The federal Department of Transportation has updated its policies, which requires a change to Lyon County's DOT Drug and Alcohol Testing Policy.

The new policy adds oral fluids testing, which is now allowed. Also, we have reduced our list of DOT positions required for testing as two job positions do not require a commercial driver's license. These two positions are still considered safety-sensitive and will still be randomly tested, but under the County's non-DOT policies.

Financial Department Comments:
There is no financial impact to these changes.

Approved As To Legal Form:

County Manager Comments:

Recommendation:
Approve a revised Lyon County Department of Transportation (DOT) Drug and Alcohol Policy

ATTACHMENTS
- DOT Drug and Alcohol Testing Policy

LYON COUNTY

DEPARTMENT OF TRANSPORTATION (DOT)

DRUG AND ALCOHOL TESTING POLICY

LYON COUNTY DOT
DRUG AND ALCOHOL TESTING POLICY

Table of Contents

1. PURPOSE 3
2. APPLICABILITY 3
3. DEFINITIONS 3
4. ORAL FLUIDS TESTING 8
5. BASIC INFORMATION ABOUT ALCOHOL & CONTROLLED SUBSTANCES 9
6. EDUCATION AND TRAINING 14
7. PROHIBITED SUBSTANCES 14
8. PROHIBITED CONDUCT 15
8. DRUG STATUTE CONVICTION 16
9. DRUG TESTING PROCEDURES 16
10. ALCOHOL TESTING PROCEDURES 18
11. PRE-EMPLOYMENT TESTING 19
12. REASONABLE SUSPICION TESTING 21
13. POST-ACCIDENT TESTING 22

a. FTA Procedures: 22

b. FMCSA Procedures: 22

c. General Post-Accident Procedures: 23

14. RANDOM TESTING 24
15. RETURN-TO-DUTY TESTING 25
16. FOLLOW-UP TESTING 25
17. RESULT OF DRUG/ALCOHOL TEST 25
18. INFORMATION DISCLOSURE 26

A. Appendix A - List of DOT Safety-Sensitive Classifications 28

B. Appendix B - Contacts 29

1. PURPOSE

Lyon County seeks to operate a drug and alcohol free workplace in compliance with all applicable federal Department of Transportation (DOT) regulations. This includes regulations promulgated by the Federal Transit Administration (FTA) and the Federal Motor Carrier Safety Administration (FMCSA). This policy provides a framework for ensuring employees covered by these regulations do not engage in prohibited drug or alcohol use.

Any provisions in this policy not strictly required under DOT regulations but still included as part of the lawful exercise of Lyon County's prerogatives are italicized.

2. APPLICABILITY

This policy applies to all employees performing safety-sensitive functions within the meaning of FTA and FMCSA regulations. A list of Lyon County classifications performing such functions is attached as Appendix A. Lyon County's separate non-DOT drug and alcohol free workplace policy (i.e., Section 4 of Lyon County's Personnel Policy Manual) also applies to all such employees. Conduct that violates Lyon County's non-DOT drug and alcohol free workplace policy may subject the employee to disciplinary action, irrespective of whether such conduct also violates this policy.

3. DEFINITIONS

Accident (FTA): An occurrence associated with the operation of a vehicle, if as a result:

a. An individual dies;
b. An individual suffers a bodily injury and immediately receives medical treatment away from the scene of the accident; or,
c. One or more vehicles incur disabling damage as the result of the occurrence and is transported away from the scene by a tow truck or other vehicle. For purposes of this definition, disabling damage means damage which precludes departure of any vehicle from the scene of the occurrence in its usual manner in daylight after simple repairs.

Adulterated specimen: A specimen that has been altered, as evidence by test results showing either a substance that is not a normal constituent for that type of specimen or showing an abnormal concentration of an endogenous substance.

Alcohol: The intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols contained in any beverage, mixture, mouthwash, candy, food, preparation or medication.

Alcohol Concentration: Expressed in terms of grams of alcohol per 210 liters of breath as indicated by a breath test under 49 CFR Part 40.

Aliquot: A fractional part of a specimen used for testing, it is taken as a sample representing the whole specimen.

Canceled Test: A drug or alcohol test that has a problem identified that cannot be or has not been corrected, or which is cancelled. A canceled test is neither positive nor negative.

Chain of Custody: The procedure used to document the handling of the urine or oral fluid specimen from the time the employee gives the specimen to the collector until the specimen is destroyed. This procedure uses the Federal Drug Testing Custody and Control Form (CCF).

Confirmatory Drug Test: A second analytical procedure performed on a different aliquot of the original specimen to identify and quantify the presence of a specific drug or metabolite.

Confirmatory Validity Test: A second test performed on a different aliquot of the original urine or oral fluid specimen to further support a validity test result.

Covered Employee Under FTA/FMCSA Authority: An employee who performs a safety-sensitive function including an applicant or transferee who is being considered for hire into a safety-sensitive function (See Appendix A for a list of covered employees).

Designated Employer Representative (DER): An employee authorized by the employer to take immediate action to remove employees from safety-sensitive duties and to make required decisions in testing. The DER also receives test results and other communications for the employer, consistent with the requirements of 49 CFR Parts 40 and 655. The contact information for the DER is included in Appendix B.

Department of Health and Human Services (HHS): The Department of Health and Human Services or any designee of the Secretary.

DOT, The Department, DOT Agency: These terms encompass all DOT agencies, including, but not limited to, the Federal Aviation Administration (FAA), the Federal Railroad Administration (FRA), the Federal Motor Carrier Safety Administration (FMCSA), the Federal Transit Administration (FTA), the National Highway Traffic Safety Administration (NHTSA), the Pipeline and Hazardous Materials Safety Administration (PHMSA), and the Office of the Secretary (OST). For purposes of 49 CFR Part 40, the United States Coast Guard (USCG), in the Department of Homeland Security, is considered to be a DOT agency for drug testing purposes. These terms include any designee of a DOT agency.

Dilute specimen: A urine specimen with creatinine and specific gravity values that are lower than expected for human urine.

Disabling damage: Damage which precludes departure of any vehicle from the scene of the occurrence in its usual manner in daylight after simple repairs. Disabling damage includes damage to vehicles that could have been operated but would have been further damaged if so operated, but does not include damage which can be remedied temporarily at the scene of the occurrence without special tools or parts, tire disablement without

other damage even if no spare tire is available, or damage to headlights, taillights, turn signals, horn, or windshield wipers that makes them inoperative.

Evidentiary Breath Testing Device (EBT): A Device approved by the NHTSA for the evidential testing of breath at the 0.02 and the 0.04 alcohol concentrations, and appears on ODAPC's Web page for "Approved Evidential Breath Measurement Devices" because it conforms to the model specifications available from NHTSA.

Initial Drug Test: (Screening Drug Test): The test used to differentiate a negative specimen from one that requires further testing for drugs or drug metabolites.

Initial Specimen Validity Test: The first test used to determine if a urine or oral fluid specimen is adulterated, diluted, substituted, or invalid.

Invalid Result: The result reported by an HHS-certified laboratory in accordance with the criteria established by the HHS Mandatory Guidelines when a positive, negative, adulterated, or substituted result cannot be established for a specific drug or specimen validity test.

Laboratory: Any U.S. laboratory certified by HHS under the National Laboratory Certification program as meeting standards of Subpart C of the HHS Mandatory Guidelines for Federal Workplace Drug Testing Programs; or, in the case of foreign laboratories, a laboratory approved for participation by DOT under this part.

Limit of Detection (LOD): The lowest concentration at which a measured and can be identified, but (for quantitative assays) the concentration cannot be accurately calculated.

Limit of Quantitation: For quantitative assays, the lowest concentration at which the identity and concentration of the measured and can be accurately established.

Medical Review Officer (MRO): A licensed physician (medical doctor or doctor of osteopathy) responsible for receiving laboratory results generated by the drug testing program who has knowledge of substance abuse disorders, and has appropriate medical training to interpret and evaluate an individual's confirmed positive test result, together with his/her medical history, and any other relevant bio-medical information.

Negative Dilute: A drug test result which is negative for the five drug/drug metabolites but has creatinine and specific gravity values that are lower than expected for human urine.

Negative result: The result reported by an HHS-certified laboratory to an MRO when a specimen contains no drug or the concentration of the drug is less than the cutoff concentration for the drug or drug class and the specimen is a valid specimen. An alcohol concentration of less than 0.02 BAC is a negative test result.

Non-negative test result: A urine or oral fluid specimen that is reported as adulterated, substituted, invalid, or positive for drug/drug metabolites.

Oxidizing Adulterant: A substance that acts alone or in combination with other substances to oxidize drugs or drug metabolites to prevent the detection of the drug or metabolites, or affects the reagents in either the initial or confirmatory drug test.

Performing (a safety-sensitive function): A covered employee is considered to be performing a safety-sensitive function and includes any period in which he or she is actually performing, ready to perform, or immediately available to perform such functions.

Positive result: The result reported by an HHS- Certified laboratory when a specimen contains a drug or drug metabolite equal or greater to the cutoff concentrations.

Prohibited drug: Identified as marijuana, cocaine, opioid, amphetamines, or phencyclidine as specified in 49 CFR Part 40, as amended.

Reconfirmed: The result reported for a split specimen when the second laboratory is able to corroborate the original result reported for the primary specimen.

Rejected for Testing: The result reported by an HHS- Certified laboratory when no tests are performed for specimen because of a fatal flaw or a correctable flaw that has not been corrected.

Revenue Service Vehicles: All transit vehicles that are used for passenger transportation service.

Safety-sensitive functions:

For FTA-covered employees, safety-sensitive functions include:

1. The operation of a transit revenue service vehicle even when the vehicle is not in revenue service.
2. The operation of a non-revenue service vehicle by an employee when the operation of such a vehicle requires the driver to hold a Commercial Driver's License (CDL).
3. Maintaining a revenue service vehicle or equipment used in revenue service.
4. Controlling the movement of a revenue service vehicle and
5. Carrying a firearm for security purposes.

For FMCSA-covered employees, safety-sensitive functions include:

1. Time waiting to be dispatched, unless the employee has been relieved from duty.
2. Time inspecting equipment a required by FMCSA regulations or otherwise inspecting, servicing, or conditioning any commercial motor vehicle at any time.

3. Time spent at the driving controls of a commercial motor vehicle in operation.
4. Time, other than driving time, in or upon any commercial motor vehicle except time spent resting in a sleeper berth.
5. Time loading or unloading a vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments loaded or unloaded.
6. Time loading or unloading a vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments loaded or unloaded.

A list of Lyon County classifications performing safety-sensitive functions is attached as Appendix A.

Split Specimen Collection: A collection in which the urine or oral fluid collected is divided into two separate bottles, the primary specimen (Bottle A) and the split specimen (Bottle B).

Substance Abuse Professional (SAP): A licensed physician (medical doctor or doctor of osteopathy) or licensed or certified psychologist, social worker, employee assistance professional, state-licensed or certified marriage and family therapist, or drug and alcohol counselor (certified by organization listed at https://www.transportation.gov/odapc/sap) with knowledge of and clinical experience in the diagnosis and treatment of drug and alcohol related disorders.

Substituted specimen: A urine specimen with creatinine and specific gravity values that are so diminished or so divergent that they are not consistent with normal human urine.

Test Refusal: The following are considered a refusal to test if the employee:

1. Fail to appear for any test (except a pre-employment test) within a reasonable time, as determined by the employer.
2. Fail to remain at the testing site until the testing process is complete. An employee who leaves the testing site before the testing process commences for a pre-employment test has not refused to test.
3. Fail to attempt to provide a breath, urine, or oral fluid specimen. An employee who does not provide a urine, breath, or oral fluid specimen because he or she has left the testing site before the testing process commenced for a pre-employment test has not refused to test.
4. In the case of a directly-observed or monitored urine drug collection, fail to permit monitoring or observation of your provision of a specimen.
5. Fail to provide a sufficient quantity of urine, breath, or oral fluid without a valid medical explanation.
6. Fail or decline to take a second test as directed by the collector or the employer for drug testing.

7. Fail to undergo a medical evaluation as required by the MRO or the employer's Designated Employer Representative (DER).
8. Fail to cooperate with any part of the testing process.
9. Fail to follow an observer's instructions to raise and lower clothing and turn around during a directly-observed test.
10. Possess or wear a prosthetic or other device used to tamper with the collection process.
11. Admit to the adulteration or substitution of a specimen to the collector or MRO.
12. Refuse to sign the certification at Step 2 of the Alcohol Testing Form (ATF).
13. Fail to remain readily available following an accident.
14. As a covered employee, if the MRO reports that you have a verified adulterated or substituted test result, you have refused to take a drug test.

Vehicle: A bus, electric bus, van, automobile, rail car, trolley car, trolley bus, or vessel. A public transit vehicle is a vehicle used for public transportation or for ancillary services.

Verified negative test: A drug test result reviewed by a medical review officer and determined to have no evidence of prohibited drug use at or above the minimum cutoff levels established by the Department of Health and Human Services (HHS).

Verified positive test: A drug test result reviewed by a medical review officer and determined to have evidence of prohibited drug use at or above the minimum cutoff levels specified in 49 CFR Part 40 as revised.

Validity testing: The evaluation of the specimen to determine if it is consistent with normal human urine. Specimen validity testing will be conducted on all urine specimens provided for testing under DOT authority. The purpose of validity testing is to determine whether certain adulterants or foreign substances were added to the urine, if the urine was diluted, or if the specimen was substituted.

All other terms defined under FTA, FMSCA, or DOT regulations but not defined above shall, as used in this policy, have the same definitions as are ascribed to them in the applicable federal regulation(s).

4. ORAL FLUIDS TESTING

The employer reserves the right to implement oral fluid testing, using an employee's saliva, to test for controlled substances in accordance with 49 CFR Part 40. When used, oral fluids testing will be conducted under direct observation of a laboratory technician to reduce the chance of adulteration or tampering.

Oral fluids testing will use two separate HHS-certified laboratories: one to conduct the screening and confirmation testing on the primary oral fluid specimen, and one to conduct the split specimen testing for a non-negative result.

Oral fluids testing will be used for transgender or nonbinary individuals when a direct observation is required but a same-gender technician cannot be found.

5. BASIC INFORMATION ABOUT ALCOHOL & CONTROLLED SUBSTANCES

In the subsections below, Lyon County provides basic information concerning the following: the effects of alcohol and controlled substances on an individual's health, work, and personal life; signs and symptoms of misuse of alcohol or controlled substances; and available methods of intervening when an alcohol or controlled- substances problem is suspected.

Alcohol

a. Health Effects

- The liver is the primary site of alcohol metabolism and can be severely affected by heavy alcohol use. The three primary dangers are fatty liver, alcoholic hepatitis, and cirrhosis.
- Heavy alcohol use can also severely affect the gastrointestinal tract, contributing to inflammation of the esophagus, exacerbating peptic ulcers, and causing acute and chronic pancreatitis. It interferes with the absorption of nutrients from food and contributes to malnutrition.
- Heavy alcohol use affects the heart and vascular system, contributing to heart attacks, hypertension, and strokes.
- Either because of direct action or indirectly through the malnutrition, liver disease, and other effects it causes, alcohol depresses immune system functioning and increases the likelihood of infection.
- There is considerable evidence that alcohol abuse is associated with the incidence of cancer, particularly cancers of the liver, esophagus, nasopharynx, and larynx.
- Heavy alcohol consumption causes brain damage, manifested through dementia, blackouts, seizures, hallucinations, and peripheral neuropathy.
- Birth defects.

b. Workplace Effects

- Alcohol affects vision, reflexes, coordination, emotions, aggressiveness, and judgement, which deprives a safety-sensitive employee of most of the tools s/he relies upon to perform safely.
- Hangovers also present a safety risk. The sick feeling associated with hangovers, including headaches, nausea, and other symptoms, can distract an employee's attention and lead to accidents even though alcohol may no longer be detectable in the body.

c. Signs and Symptoms of Use

- Evidence of presence of alcohol: Bottles, cans, and other containers which alcohol-containing beverages may have been purchased and/or consumed in; bottle caps from alcohol containers; bottle or can openers; employees drinking from paper bags; odor of alcohol on containers or on employee's breath.
- Physical symptoms: Reduction of reflexes, slurred speech, loss of coordination, unsteady gait.

- Behavioral symptoms: Increased talkativeness, reduced emotional control, distorted judgment, impaired driving ability, gross effects on thinking and memory.

Marijuana

a. Health Effects

- When marijuana is smoked, it is irritating to the lungs. Chronic smoking causes emphysema-like conditions.
- One joint causes the heart to race and be overworked. People with undiagnosed heart conditions are at risk.
- Marijuana is commonly contaminated with a fungus called Aspergillus, which can cause serious respiratory tract and sinus infections.
- Marijuana smoking lowers the body's immune system response, making users more susceptible to infection.
- Chronic smoking causes changes in brain cells and brain waves.
- Decrease in fertility.
- Birth defects.
- Delayed decision making, diminished concentration, impaired short-term memory, erratic cognitive function, distortion of time estimation.

b. Workplace Effects

- The active chemical, THC, is stored in body fat and slowly released.
- Marijuana smoking has long-term effects on performance.
- Increased THC potency in modern marijuana increases the impairment.
- Combining alcohol or other depressant drugs with marijuana increases impairment.

c. Signs and Symptoms of Use

- Evidence of presence of marijuana: Plastic bags (commonly used to sell marijuana); smoking papers; roach clip holders; small pipes of bone, brass, or glass; smoking bongs; distinctive odor.
- Physical symptoms: Reddened eyes; stained fingertips from holding joints; chronic fatigue; irritating cough; chronic sore throat; accelerated heartbeat; slowed speech; impaired motor coordination; altered perception; increased appetite.
- Behavioral symptoms: Impaired memory; time-space distortions; feeling of euphoria; paranoia; false sense of power.

Cocaine

a. Health Effects

- Regular use may upset the chemical balance of the brain. As a result, it may speed up the aging process by causing damage to critical nerve cells.
- The onset of nervous system illnesses such as Parkinson's disease could also occur.
- Cocaine use causes the heart to beat faster and harder and rapidly increases blood pressure. In addition, cocaine causes spasms of blood vessels in the

brain and heart. Both effects lead to ruptured vessels causing strokes or heart attacks.

- Strong dependency can occur with one "hit" of cocaine. Usually mental dependency occurs within days of using. Cocaine causes the strongest mental dependency of any known drug.Treatment success rates are lower than those of other chemical dependencies.
- Cocaine is extremely dangerous when taken with depressant drugs. Death due to overdose is rapid. The fatal effects of an overdose are not usually reversible by medical intervention.

b. Workplace Effects

- Extreme mood and energy swings create instability. Sudden noise causes a violent reaction.
- Lapses in attention and ignoring warning signals increases probability of accidents.
- High cost frequently leads to theft and/or dealing.
- Paranoia and withdrawal may create unpredictable or violent behavior.
- Performance is characterized by forgetfulness, absenteeism, tardiness and missing assignments.

c. Signs and Symptoms of Use

- Evidence of presence of cocaine: Small folded envelopes, plastic bags, or vials used to store cocaine; razor blades; cut-off drinking straws or rolled bills for snorting; small spoons; heating apparatus.
- Physical symptoms: Dilated pupils, runny or irritated nose, profuse sweating, dry mouth, tremors, needle tracks, loss of appetite, hyper-excitability, restlessness, high blood pressure, heart palpitations, insomnia, talkativeness, formication (sensing of bugs crawling on skin).
- Behavioral symptoms: Increased physical activity, depression, isolation and secretive behavior, unusual defensiveness, frequent absences, wide mood swings, difficulty in concentration, paranoia, hallucinations, confusion, false sense of power and control.

Opioids

a. Health Effects

- Intravenous users have a high risk of contracting hepatitis or AIDS when sharing needles.
- Increased pain tolerance. As a result, a person may more severely injure themselves and fail to seek medical attention as needed.
- Narcotic effects are multiplied when combined with other depressants causing an increased risk for an overdose.
- Because of tolerance, there is an ever increasing need for more.
- Strong mental and physical dependency occurs.
- With increased tolerance and dependency combined, there is a serious financial burden for the user.

b. Workplace Effects

- Side effects such as nausea, vomiting, dizziness, mental clouding and drowsiness place the user at high risk for an accident.
- Causes impairment of physical and mental functions.

c. Signs and Symptoms of Use

- Evidence of presence of opioids: Foil, glassine envelopes, or paper "bindles" (packets for holding drugs); balloons or prophylactics used to hold heroin; bloody tissues used to wipe the injection site; a pile of burned matches used to heat the drug prior to injection.
- Physical symptoms: Constricted pupils, sweating, nausea, and vomiting, diarrhea, needle marks or "tracks", wearing long sleeves to cover "tracks", loss of appetite, slurred speech, slowed reflexes, depressed breathing and heartbeat, and drowsiness and fatigue.
- Behavioral symptoms: Mood swings, impaired coordination, depression and apathy, stupor, euphoria.

Amphetamines

a. Health Effects

- Regular use causes strong psychological dependency and increased tolerance.
- High doses may cause toxic psychosis resembling schizophrenia.
- Intoxication may induce a heart attack or stroke due to increased blood pressure.
- Chronic use may cause heart or brain damage due to severe constriction of capillary blood vessels.
- Euphoric stimulation increases impulsive and risk taking behavior, including bizarre and violent acts.
- Withdrawal may result in severe physical and mental depression.
- Long-term heavy use can lead to malnutrition, skin disorders, ulcers, and various diseases that come from vitamin deficiencies.

b. Workplace Effects

- Since the drug alleviates the sensation of fatigue, it may be abused to increase alertness during periods of overtime or failure to get rest, which can result in increased accidents.
- With heavy use or increasing fatigue, the short-term mental or physical enhancement reverses and becomes an impairment.
- The hangover effect of amphetamines is characterized by physical fatigue and depression, which make operation of equipment or vehicles dangerous.

c. Signs and Symptoms of Use

- Evidence of presence of amphetamines: Most frequently – pills, capsules, or tablets; envelopes, bags, vials for storing the drug; less frequently – syringes, needles, tourniquets.
- Physical symptoms: Dilated pupils, sweating, increased blood pressure, palpitations, rapid heartbeat, dizziness, decreased appetite, dry mouth,

headaches, blurred vision, insomnia, high fever (depending on level of the dose).

- Behavioral symptoms: Confusion, panic, talkativeness, hallucinations, restlessness, anxiety, moodiness, false sense of confidence and power.

Phencyclidine (PCP)

a. Health Effects

- The potential for accidents and overdose emergencies is high due to the extreme mental effects combined with the anesthetic effect on the body.
- PCP, when combined with other depressants, including alcohol, increases the possibility of an overdose.
- If misdiagnosed as LSD induced, and treating with Thorazine, can be fatal.
- Irreversible memory loss, personality changes, and thought disorders may result.

b. Workplace Effects

- Not common in workplace primarily because of the severe disorientation that occurs.
- The distortions in perception and potential visual and auditory delusions make performance unpredictable and dangerous. PCP use can cause drowsiness, convulsions, paranoia, agitation, or coma.

c. Signs and Symptoms of Use

- Evidence of presence of PCP: Packets, stamps, injection paraphernalia, herbs.
- Physical symptoms: Dilated or floating pupils, blurred vision, nystagmus (jerky eye movement), drooling, muscle rigidity, profuse sweating, decreased sensitivity to pain, dizziness, drowsiness, impaired physical coordination (e.g., drunken-like walk, staggering), severe disorientation, rapid heartbeat.
- Behavioral symptoms: Anxiety, panic/fear/terror, aggressive/violent behavior, distorted perception, severe confusion and agitation, disorganization, mood swings, poor perception of time and distance, poor judgment, auditory hallucinations.

i. Intervening When an Alcohol or a Controlled-Substances Problem is Suspected

No matter what the employee's position is in the organization, any signs or symptoms of drug use or alcohol abuse shall be reported to the employee's immediate supervisor. Alternatively, employees may report any signs or symptoms to the Designated Employer Representative (DER).

Employees who suspect they may have a substance abuse problem are encouraged to seek counseling and rehabilitation through the employer's Employee Assistance Program (EAP), a substance abuse professional (SAP), or other treatment provider. Lyon County's medical insurance policy may provide for payment of some or all of the treatment costs.

6. EDUCATION AND TRAINING

Every covered employee will receive a copy of this policy and will have ready access to the applicable federal regulations, which are published online. Employees who need access to a computer or wish to receive a hard copy of the regulations may contact the Human Resources Department.

All covered employees will also undergo a minimum of sixty (60) minutes of training on the signs and symptoms of drug use including the effects and consequences of drug use on personal health, safety, and the work environment. The training also includes manifestations and behavioral cues that may indicate prohibited drug use.

All supervisory personnel or company officials who are in a position to determine covered employees' fitness for duty will receive sixty (60) minutes of reasonable suspicion training on the physical, behavioral, and performance indicators of probable drug use and sixty (60) minutes of additional reasonable suspicion training on the physical, behavioral, speech, and performance indicators of probable alcohol misuse.

7. PROHIBITED SUBSTANCES

This policy addresses the following:

1. Illegal Drug Use: Any illegal substance under federal law is prohibited. This includes but is not limited to marijuana, amphetamines, opioids, phencyclidine (PCP), and cocaine, as well as any drug not approved for medical use by the U.S. Drug Enforcement Administration or the U.S. Food and Drug Administration. Lyon County also prohibits illegal use of any prescription drug or substance, including but not limited to the use of such substances without a valid prescription.

2. Legal Drugs: The appropriate use of legally prescribed drugs and non-prescription medications is not prohibited. *However, the use of any substance which carries a warning label that indicates that mental functioning, motor skills, or judgment may be adversely affected must be reported to Lyon County Human Resources and a supervisor before the employee reports for duty while with the substance in his/her system. The employee may be required to provide a written release from his/her doctor or pharmacist indicating that the employee can perform his/her safety-sensitive functions.*

3. Alcohol: The use of alcohol is restricted as set forth in the next section below.

8. PROHIBITED CONDUCT

1. USDOT regulations require that all employees covered under USDOT authority be tested for marijuana, cocaine, amphetamines, opioids, and phencyclidine as described in this policy. Illegal use of these five drugs is prohibited at all times, and thus, covered employees may be tested for these drugs anytime that they are on duty.

2. No covered employee shall report for or remain on duty requiring the performance of safety-sensitive functions when the employee uses any drug or substances identified in 21 CFR 1308.11, Schedule I. These drugs and substances are illegal under federal law.

3. No covered employee shall report for or remain on duty requiring the performance of safety-sensitive functions when the employee uses any non-Schedule I drug or substance that is identified in the other Schedules in 21 CFR part 1308, unless:

    a. The use is pursuant to the instructions of a licensed medical practitioner who is familiar with the employee's medical history and has advised the employee that the substance will not adversely affect the employee's ability to perform safety-sensitive functions; and

    b. The employee has advised a supervisor and the Human Resources Department of the substance use prior to performing any safety-sensitive functions.

4. No covered employee shall consume alcohol while performing safety-sensitive job functions or while on-call to perform safety-sensitive job functions. If an on-call employee has consumed alcohol, the employee must acknowledge the use of alcohol at the time that the employee is called to report for duty.

5. Lyon County shall not permit any covered employee to perform or continue to perform safety-sensitive functions if it has actual knowledge that the employee is using alcohol

6. No covered employee shall report for or remain on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.04 or greater.

    a. Note: Employees who work with an alcohol concentration greater than or equal to .02 but less than .04 will still be in violation of Lyon County's non- DOT drug and alcohol free workplace policy. Such employees will not be permitted to continue performing safety-sensitive functions.

7. No covered employee shall consume alcohol for eight (8) hours following involvement in an accident or until he/she submits to the post-accident drug/alcohol test, whichever occurs first.
8. No covered employee shall consume alcohol within four (4) hours prior to the performance of safety-sensitive job functions.
9. No covered employee shall refuse to submit to a drug or alcohol test pursuant to this policy. In the event of a refusal, Lyon County shall not allow the employee to return to performing safety-sensitive functions.
10. Consistent with the Drug-Free Workplace Act of 1988, all Lyon County employees are prohibited from engaging in the unlawful manufacture, distribution, dispensing, possession, or use of prohibited substances on or in Lyon County property. Consumption of marijuana, cocaine, opioids, amphetamines, and phencyclidine is strictly prohibited at all times.

8. DRUG STATUTE CONVICTION

Consistent with the Drug Free Workplace Act of 1998, all employees are required to notify Lyon County management of any criminal drug statute conviction for a violation occurring in the workplace within five days after such conviction.

Note: Employees have additional reporting obligations under Lyon County's personnel policy manual. Nothing herein relieves covered employees of their additional obligations to report criminal charges and adjudications.

9. DRUG TESTING PROCEDURES

1. Testing shall be conducted in a manner to assure a high degree of accuracy and reliability and using techniques, equipment, and laboratory facilities which have been approved by the U.S. Department of Health and Human Service (HHS). All testing will be conducted consistent with the procedures set forth in 49 CFR Part 40, as amended. The procedures will be performed in a private, confidential manner and every effort will be made to protect the employee, the integrity of the drug testing procedure, and the validity of the test result.
2. The drugs that will be tested for include marijuana, cocaine, opioids, amphetamines, and phencyclidine. After the identity of the donor is checked using picture identification, a urine specimen will be collected using the split specimen collection method described in 49 CFR Part 40. Each specimen will be accompanied by a DOT Custody and Control Form and identified using a unique identification number that attributes the specimen to the correct individual. The specimen analysis will be conducted at a HHS certified laboratory. An initial drug screen and validity test will be conducted on the primary urine specimen. For those specimens that are not negative, a confirmatory test will be performed. The test will be considered positive if the amounts of the drug(s) and/or its

metabolites identified by the confirmatory test are at or above the minimum thresholds established in 49 CFR Part 40.

3. The test results from the HHS certified laboratory will be reported to a Medical Review Officer. A Medical Review Officer (MRO) is a licensed physician with detailed knowledge of substance abuse disorders and drug testing. The MRO will review the test results to ensure the scientific validity of the test and to determine whether there is a legitimate medical explanation for a confirmed positive, substitute, or adulterated test result. The MRO will attempt to contact the employee to notify the employee of the non-negative laboratory result, and provide the employee with an opportunity to explain the confirmed laboratory test result. The MRO will subsequently review the employee's medical history/medical records as appropriate to determine whether there is a legitimate medical explanation for a non-negative laboratory result. If no legitimate medical explanation is found, the test will be verified positive or refusal to test and reported to the Lyon County. If a legitimate explanation is found, the MRO will report the test result as negative.

4. If the test is invalid without a medical explanation, a retest will be conducted under direct observation. Employees do not have access to a test of their split specimen following an invalid result.

5. Any covered employee who questions the results of a required drug test may request that the split sample be tested. The split sample test must be conducted at a second HHS-certified laboratory. The test must be conducted on the split sample that was provided by the employee at the same time as the primary sample. The method of collecting, storing, and testing the split sample will be consistent with the procedures set forth in 49 CFR Part 40. The employee's request for a split sample test must be made to the Medical Review Officer within 72 hours of notice of the original sample verified test result. Requests after 72 hours will only be accepted at the discretion of the MRO if the delay was due to documentable facts that were beyond the control of the employee. Lyon County will ensure that the cost for the split specimen analysis is covered in order for a timely analysis of the sample *but will seek reimbursement for the split sample test from the employee.*

6. If the analysis of the split specimen fails to confirm the presence of the drug(s) detected in the primary specimen, if the split specimen is not able to be analyzed, or if the results of the split specimen are not scientifically adequate, the MRO will declare the original test to be canceled.

7. The split specimen will be stored at the initial laboratory until the analysis of the primary specimen is completed. If the primary specimen is

negative, the split will be discarded. If the primary specimen is positive, it will be retained in frozen storage for one year and the split specimen will also be retained for one year. If the primary is positive, the primary and the split will be retained for longer than one year for testing if so requested by the employee through the Medical Review Officer, or by the employer, by the MRO, or by the relevant DOT agency.

8. Observed collections

Consistent with 49 CFR Part 40, collection under direct observation (by a person of the same gender) with no advance notice will occur:

i. In the event the laboratory reports to the MRO that a specimen is invalid, and the MRO reports to Lyon County Human Resources that there was not an adequate medical explanation for the result;

ii. In the event the MRO reports to Lyon County Human Resources that the original positive, adulterated, or substituted test result had to be cancelled because the test of the split specimen could not be performed;

iii. In the event the laboratory reports to the MRO that the specimen was negative-dilute with a creatinine concentration greater than or equal to 2 mg/dL but less than or equal to 5 mg/dL, and the MRO reported the specimen as negative-dilute and that a second collection must take place under direct observation (see §40.197(b)(1)).

iv. In the event the collector observes materials brought to the collection site or the employee's conduct clearly indicates an attempt to tamper with a specimen;

v. In the event the temperature on the original specimen was out of range;

vi. Anytime the employee is directed to provide another specimen because the original specimen appeared to have been tampered with; and

vii. For all return-to-duty and follow-up tests;

10. ALCOHOL TESTING PROCEDURES

1. Tests for breath alcohol concentration will be conducted utilizing a National Highway Traffic Safety Administration (NHTSA)-approved

Evidential Breath Testing device (EBT) operated by a trained Breath Alcohol Technician (BAT). A list of approved EBTs can be found on ODAPC's Web page for "approved Evidential Breath Measurement Devices." Alcohol screening tests may be performed using a non- evidential testing device (alcohol screening device (ASD)) which is also approved by NHTSA. A list of approved ASDs can be found on ODAPC's Web page for "Approved Screening Devices to Measure Alcohol in Bodily Fluids." If the initial test indicates an alcohol concentration of 0.02 or greater, a second test will be performed to confirm the results of the initial test. The confirmatory test must occur on an EBT. The confirmatory test will be conducted no sooner than fifteen minutes after the completion of the initial test. The confirmatory test will be performed using a NHTSA-approved EBT operated by a trained BAT. The EBT will identify each test by a unique sequential identification number. This number, time, and unit identifier will be provided on each EBT printout. The EBT printout, along with an approved alcohol testing form, will be used to document the test, the subsequent results, and to attribute the test to the correct employee. The test will be performed in a private, confidential manner as required by 49 CFR Part 40. The procedure will be followed as prescribed to protect the employee and to maintain the integrity of the alcohol testing procedures and validity of the test result.

2. A confirmed alcohol concentration of 0.04 or greater will be considered a positive alcohol test and in violation of this policy. Even though an employee who has a confirmed alcohol concentration of 0.02 to 0.039 is not considered positive, the employee shall still be removed from duty for at least eight hours or for the duration of the work day, whichever is longer. *Such employee will also be subject to disciplinary action under Lyon County's non-DOT drug and alcohol-free workplace policy.*

3. Lyon County affirms the need to protect individual dignity, privacy, and confidentiality throughout the testing process. If at any time the integrity of the testing procedures or the validity of the test results is compromised, the test will be canceled. Minor inconsistencies or procedural flaws that do not impact the test result will not result in a cancelled test.

4. The alcohol testing form (ATF) required by 49 CFR Part 40 shall be used for all FTA/FMCSA required testing. Refusal of an employee to sign step 2 of the ATF will be considered a refusal to submit to testing.

11. PRE-EMPLOYMENT TESTING

All successful applicants for the classifications identified in Appendix A shall, as a condition of commencing employment, undergo pre-employment urine or oral fluid drug testing.

1. All offers of employment for covered positions shall be extended conditional upon the applicant passing a drug test. An applicant will not be allowed to perform safety-sensitive functions unless the applicant takes a drug test with verified negative results.

2. An employee shall not be placed, transferred or promoted into a position covered under FTA or FMCSA regulations until the employee takes a drug test with verified negative results.

3. If an applicant fails a pre-employment drug test, the conditional offer of employment shall be rescinded. The applicant will be provided a list of at least two (2) USDOT qualified Substance Abuse Professionals. *Failure of a pre-employment drug test will disqualify an applicant for employment for a period of at least one year.* Before being considered for future employment the applicant must provide the employer proof of having successfully completed a referral, evaluation and treatment plan as described in section 655.62 of subpart G. *The cost for the assessment and any subsequent treatment will be the sole responsibility of the applicant.*

4. If a pre-employment test is canceled, Lyon County will require the applicant to take and pass another pre-employment drug test.

5. In instances where a FTA-covered employee does not perform a safety-sensitive function for a period of 90 consecutive days or more regardless of reason, and during that period is not in the random testing pool the employee will be required to take a pre-employment drug test under 49 CFR Part 655 and have negative test results prior to the conduct of safety-sensitive job functions.

6. Following a negative dilute the employee will be required to undergo another test. Should this second test result in a negative dilute result, the test will be considered a negative and no additional testing will be required unless directed by the MRO.

7. Applicants are required (even if ultimately not hired) to provide Lyon County with signed written releases requesting USDOT drug and alcohol records from all previous, DOT-covered, employers that the applicant has worked for within the last two years (for FTA-covered employees) or three years (for FMCSA-covered employees). Failure to do so will result in the employment offer being rescinded. Lyon County is required to ask all applicants (even if ultimately not hired) if they have tested positive or refused to test on a pre-employment test for a DOT covered employer within the above timeframes. If the applicant has tested positive or refused to test on a pre-employment test for a DOT covered employer, the

applicant must provide Lyon County proof of having successfully completed a referral, evaluation and treatment plan.

FMCSA Drug Testing Exceptions

A driver is not required to undergo a pre-employment test if:

1. The driver has participated in a DOT testing program within the previous 30 days; and
2. While participating in that program, either:
    a. Was drug tested within the past six months (from the date of application with the employer), or
    b. Participated in the random drug testing program for the previous 12 months (from the date of application with the employer); and
3. Lyon County can ensure that no prior employer of the driver of whom Lyon County has knowledge has records of a violation of this part or the controlled substances use rule of another DOT agency within the previous six months

12. REASONABLE SUSPICION TESTING

1. All covered employees will be subject to a reasonable suspicion drug and/or alcohol test when Lyon County has reasonable suspicion to believe that the employee has engaged in prohibited drug or alcohol use. Reasonable suspicion shall mean that there is objective evidence, based upon specific, contemporaneous, articulable observations of the employee's appearance, behavior, speech or body odor that are consistent with possible drug use and/or alcohol misuse. Reasonable suspicion referrals must be made by one or more supervisors who are trained to detect the signs and symptoms of drug and alcohol use, and who reasonably conclude that an employee may be adversely affected or impaired in his/her work performance due to possible prohibited substance abuse or alcohol misuse. A reasonable suspicion alcohol test can only be conducted under this policy just before, during, or just after the performance of a safety-sensitive job function. *However, under Lyon County's non-DOT drug and alcohol free workplace policy, a non-DOT reasonable suspicion alcohol test may be performed any time the employee is on duty.*

2. *Lyon County shall be responsible for transporting the employee to the testing site. Supervisors should avoid placing themselves and/or others into a situation which might endanger the physical safety of those present.*

3. A written record of the observations which led to a drug/alcohol test based on reasonable suspicion shall be prepared and signed by the supervisor

making the observation. This written record shall be submitted to Lyon County Human Resources.

13. POST-ACCIDENT TESTING

a. **FTA Procedures:**

FATAL ACCIDENTS – A covered employee will be required to undergo urine or oral fluid and breath testing if they are involved in an accident with a transit vehicle, whether or not the vehicle is in revenue service at the time of the accident, that results in a fatality. This includes all surviving covered employees that are operating the vehicle at the time of the accident and any other whose performance could have contributed to the accident, as determined by the employer using the best information available at the time of the decision.

NON-FATAL ACCIDENTS - A post-accident test of the employee operating the public transportation vehicle will be conducted if an accident occurs and at least one of the following conditions is met:

a. The accident results in injuries requiring immediate medical treatment away from the scene, unless the covered employee can be completely discounted as a contributing factor to the accident.
b. One or more vehicles incurs disabling damage as a result of the occurrence and must be transported away from the scene, unless the covered employee can be completely discounted as a contributing factor to the accident

In addition, any other covered employee whose performance could have contributed to the accident, as determined by the employer using the best information available at the time of the decision, will be tested.

As soon as practicable following an accident, as defined in this policy, the supervisor investigating the accident will notify the transit employee operating the transit vehicle and all other covered employees whose performance could have contributed to the accident of the need for the test. The supervisor will make the determination using the best information available at the time of the decision.

b. **FMCSA Procedures:**

Covered employees shall be subject to FMCSA post-accident drug and alcohol testing under the following circumstances:

FATAL ACCIDENTS - As soon as practicable following an occurrence involving a commercial motor vehicle operating on a public road in commerce, and involving the loss of a human life, drug and alcohol tests will be conducted on each surviving

covered employee who was performing safety-sensitive functions with respect to the vehicle.

NON-FATAL ACCIDENTS - As soon as practicable following an occurrence involving a commercial motor vehicle operating on a public road in commerce, and not involving the loss of a human life, an alcohol test will be conducted on each driver who receives a citation within eight (8) hours of the occurrence under State or local law for a moving traffic violation arising from the accident, if:

a. The accident results in injuries requiring immediate medical treatment away from the scene; or
b. One or more motor vehicles incur disabling damage and must be transported away from the scene by a tow truck or other motor vehicle.

As soon as practicable following an occurrence involving a commercial motor vehicle operating on a public road in commerce, and not involving the loss of a human life, a drug test will be conducted on each driver who receives a citation within thirty-two (32) hours of the occurrence under State or local law for a moving traffic violation arising from the accident, if:

a. The accident results in injuries requiring immediate medical treatment away from the scene; or
b. One or more motor vehicles incur disabling damage and must be transported away from the scene by a tow truck or other motor vehicle.

c. **General Post-Accident Procedures:**

The appropriate supervisor shall ensure that an employee, required to be tested under this section, is tested as soon as practicable, but no longer than eight (8) hours after the accident for alcohol, and no longer than thirty two (32) hours after the accident for drugs. If an alcohol test is not performed within two hours of the accident, the Supervisor will document the reason(s) for the delay. If the alcohol test is not conducted within eight (8) hours, or the drug test within thirty two (32) hours, attempts to conduct the test must cease and the reasons for the failure to test documented.

Any covered employee involved in an accident must refrain from alcohol use for eight (8) hours following the accident, or until he/she undergoes a post-accident alcohol test.

An employee who is subject to post-accident testing who fails to remain readily available for such testing, including notifying a supervisor of his or her location if he or she leaves the scene of the accident prior to submission to such test, may be deemed to have refused to submit to testing.

Nothing in this section shall be construed to require the delay of necessary medical attention for the injured following an accident, or to prohibit an employee from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident, or to obtain necessary emergency medical care.

In the rare event that Lyon County is unable to perform a post-accident drug and alcohol test (e.g., employee is unconscious, or employee is detained by law enforcement agency), Lyon County may use drug and alcohol post-accident test results administered by local law enforcement officials in lieu of the FTA/FMCSA test. The acquisition of such test results shall be in accordance with applicable law.

14. RANDOM TESTING

All covered employees are subject to random drug and alcohol testing.

1. The selection of employees for random testing shall be on a non- discriminatory basis and made from a computer-based random number generator that is matched with the employee's social security number. Random testing will be unannounced and the dates for administering the tests will be spread reasonably throughout the year. Random drug testing will be performed at any time while the employee is at work. Random alcohol testing will only be performed just before, during, or just after the employee performs safety-sensitive functions.
2. The dates for administering unannounced testing of randomly selected employees shall be spread reasonably throughout the calendar year, day of the week and hours of the day.

3. The number of covered Lyon County employees randomly selected for drug/alcohol testing during the calendar year shall not be less than the percentage rates set each year by the DOT Agency. The current year testing rates can be viewed online at https://www.transportation.gov/odapc/random-testing-rates. Lyon County may combine its FTA-covered employees and FMCSA-covered employees into one DOT random testing pool, provided that the entire pool is tested at the higher of the two applicable rates. (E.g., if the FTA rate is 50% and the FMCSA rate is 25%, the combined pool shall be tested at the 50% rate).

4. Each covered employee in the pool shall have an equal chance of selection each time the selections are made. Employees will remain in the pool and subject to selection, whether or not the employee has been previously tested. There is no discretion on the part of management in the selection.

5. Lyon County's DOT random testing pool(s) shall be maintained separately from the random testing pool for non-DOT employees.

6. Employees are required to proceed **immediately** to the collection site upon notification of their random selection.

15. RETURN-TO-DUTY TESTING

Absent exigent circumstances, Lyon County will terminate the employment of any employee that tests positive or refuses a test. In the rare event an employee is reinstated after a positive test, the employee must complete the return-to-duty process prior to the performance of safety-sensitive functions. All covered employees who previously tested positive on a drug or alcohol test or refused a test, must test negative for drugs, alcohol (below 0.02 for alcohol), or both and be evaluated and released by the Substance Abuse Professional (SAP) before returning to work. The SAP will determine whether the employee returning to duty will require a return-to-duty drug test, alcohol test, or both. Following the initial assessment, the SAP will recommend a course of rehabilitation unique to the individual. The SAP will recommend the return-to-duty test only when the employee has successfully completed the treatment requirement(s), is known to be drug and alcohol-free, and does not present concerns for public safety.

16. FOLLOW-UP TESTING

Covered employees that have returned to duty pursuant to the preceding section will be required to undergo frequent, unannounced drug and/or alcohol testing following their return-to-duty test. The follow-up testing will be performed for a period of one to five years with a minimum of six tests to be performed the first year. The frequency and duration of the follow-up tests (beyond the minimums) will be determined by the SAP reflecting the SAP's assessment of the employee's unique situation and recovery progress. Follow-up testing should be frequent enough to deter and/or detect a relapse. Follow-up testing is separate and in addition to the random, post-accident, reasonable suspicion and return-to-duty testing. Follow-up alcohol testing will only be conducted just before, during, or just after the performance of safety-sensitive functions.

17. RESULT OF DRUG/ALCOHOL TEST

1. Any covered employee that has a verified positive drug test, an alcohol test result of 0.04 or above, or test refusal, will be removed from his/her safety-sensitive position and, absent exigent circumstances, *will be terminated.* Where required under applicable federal regulations, the employee will be informed of educational and rehabilitation programs available and referred to a list of USDOT qualified Substance Abuse Professionals (SAPs).

2. Following a negative dilute the employee will be required to undergo another test. Should this second test result in a negative dilute result, the test will be considered a negative and no additional testing will be required unless directed by the MRO.

3. Refusal to submit to a drug/alcohol test shall be considered equivalent to a positive test *result and a direct act of insubordination and shall result in termination.* A test refusal is defined as any of the following circumstances:
   a. Fail to appear for any test (except a pre-employment test) within a reasonable time, as determined by the employer.
   b. Fail to remain at the testing site until the testing process is complete. An employee who leaves the testing site before the testing process commences for a pre-employment test has not refused to test.
   c. Fail to attempt to provide a breath, urine, or oral fluid specimen. An employee who does not provide a breath, urine, or oral fluid specimen because he or she has left the testing site before the testing process commenced for a pre-employment test has not refused to test.
   d. In the case of a directly-observed or monitored urine drug collection, fail to permit monitoring or observation of your provision of a specimen.
   e. Fail to provide a sufficient quantity of breath, urine, or oral fluid without a valid medical explanation.
   f. Fail or decline to take a second test as directed by the collector or the employer for drug testing.
   g. Fail to undergo a medical evaluation as required by the MRO or the employer's Designated Employer Representative (DER).
   h. Fail to cooperate with any part of the testing process.
   i. Fail to follow an observer's instructions to raise and lower clothing and turn around during a directly-observed test.
   j. Possess or wear a prosthetic or other device used to tamper with the collection process.
   k. Admit to the adulteration or substitution of a specimen to the collector or MRO.
   l. Refuse to sign the certification at Step 2 of the Alcohol Testing Form (ATF).
   m. Fail to remain readily available following an accident.

   As a covered employee, if the MRO reports that you have a verified adulterated or substituted test result, you have refused to take a drug test.

4. An alcohol test result of ≥ 0.02 to ≤ 0.039 BAC shall result in the removal of the employee from duty for eight hours or the remainder or the work day, whichever is longer. The employee will also be subject to disciplinary action under Lyon County's non-DOT drug and alcohol free workplace policy.

18. INFORMATION DISCLOSURE

1. Drug/alcohol testing records shall be maintained by Lyon County Human Resources and, except as provided below or by law, the results of any drug/alcohol test shall not be disclosed to third parties without express written consent of the tested employee.

2. The employee, upon written request, is entitled to obtain copies of any records pertaining to their use of prohibited drugs or misuse of alcohol including any drug or alcohol testing records.

3. Records will be released to a subsequent employer only upon receipt of a written request from the employee.

4. Records of an employee's drug/alcohol tests shall be released to the adjudicator in a grievance, lawsuit, or other proceeding initiated by or on behalf of the tested individual arising from the results of the drug/alcohol test. The records will be released to the decision-maker in the proceeding.

5. Records will be released to the National Transportation Safety Board during an accident investigation.

6. Information will be released in a criminal or civil action resulting from an employee's performance of safety-sensitive duties, in which a court of competent jurisdiction determines that the drug or alcohol test information is relevant to the case and issues an order to the employer to release the information. Lyon County will release the information to the decision-maker in the proceeding with a binding stipulation that it will only be released to parties of the proceeding.

7. Records will be released to the DOT or any DOT agency with regulatory authority over the employer or any of its employees.

8. Records will be released if requested by a Federal, state or local safety agency with regulatory authority over Lyon County or the employee.

9. If a party seeks a court order to release a specimen or part of a specimen contrary to any provision of Part 40 as amended, necessary legal steps to contest the issuance of the order will be taken.

10. In cases of a contractor or sub-recipient of a state department of transportation, records will be released when requested by such agencies that must certify compliance with the regulation to the FTA.

A. Appendix A - List of DOT Safety-Sensitive Classifications

Job Title	DOT Agency
Facilities/Fleet Director	FMCSA
Buildings & Grounds Maintenance Worker	FMCSA
Senior Buildings & Grounds Maintenance Worker	FMCSA
Fleet Services Supervisor	FMCSA
Senior Fleet Services Technician	FMCSA
Fleet Services Technician	FMCSA
Road Maintenance Director	FMCSA
Road Maintainer	FMCSA
Senior Road Maintainer	FMCSA
Road Maintenance Supervisor	FMCSA
Sign Maintenance Technician	FMCSA
Construction/Repair Supervisor	FMCSA
Construction/Repair Technician I	FMCSA
Construction/Repair Technician II	FMCSA
Construction/Repair Technician III	FMCSA
Wastewater Systems Technician I	FMCSA
Wastewater Systems Technician II	FMCSA
Wastewater Systems Technician III	FMCSA
Instruments/Controls Chief Operator	FMCSA
Instruments/Controls Technician I	FMCSA
Instruments/Controls Technician II	FMCSA
Instruments/Controls Technician III	FMCSA
Water Systems Technician I	FMCSA
Water Systems Technician II	FMCSA
Water Systems Technician III	FMCSA
Human Services Transportation Specialist	FTA
Human Services Senior Center Supervisor	FTA
Fleet Services Technician	FTA

B. Appendix B - Contacts

Any questions regarding this policy or any other aspect of the substance abuse policy should be directed to the following individual(s).

Lyon County Drug and Alcohol Program Manager / Designated Employer Representative:
Title: Human Resources Director
Address: 27 S. Main Street, Yerington, NV 89447
Telephone Number: (775) 463-6510

Medical Review Officer:
Name: Stuart Hoffman
Title: M.D., First Advantage
Address: 480 Quadrangle Drive, Suite A, Bolingbrook, IL 60440
Telephone Number: (630) 679-5585

Health and Human Services Certified Laboratory Primary Specimen:
Name: LabCorp
Address: 1904 Alexander Drive, RTP, NC 27709
Telephone Number: 800-833-3984

Lyon County Board of County Commissioners Agenda Summary

Meeting Date: December 7, 2023

Agenda Item Number:
13.a

Subject:
For Possible Action: Approve a Street Name request (Buckaroo Lane) from Wendy Wilson to name an existing unnamed street west of Mason Pass Road, and south Kass Lane, Yerington, NV (APN: 014-281-16) PLZ-2023-070.

Summary:

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:

ATTACHMENTS
- Staff Report
- Backup

Community Development Department

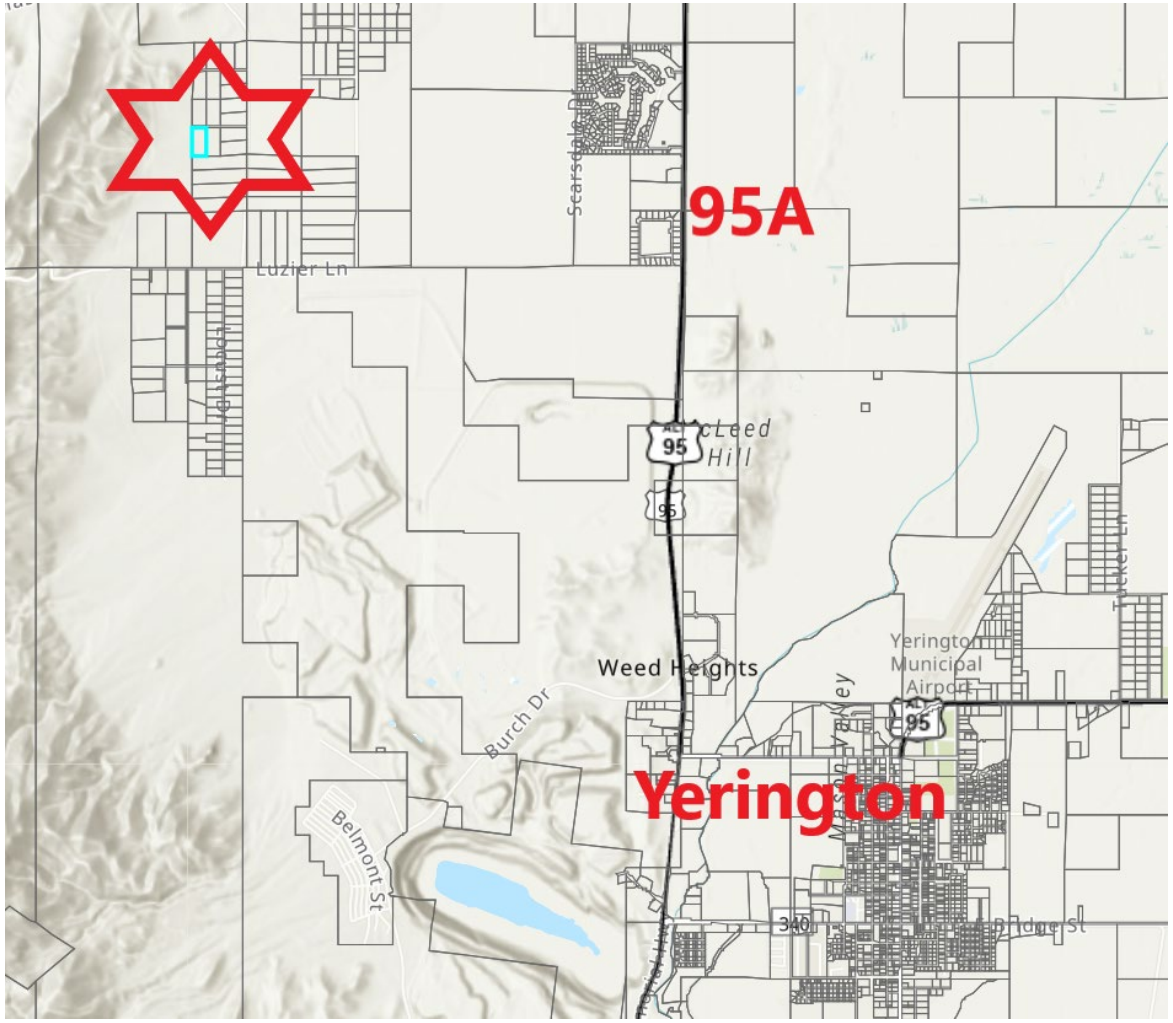
Wilson/Collins-Request for Street Name

PLZ-2023-070

Board of County Commissioners

December 7, 2023

Mason Valley

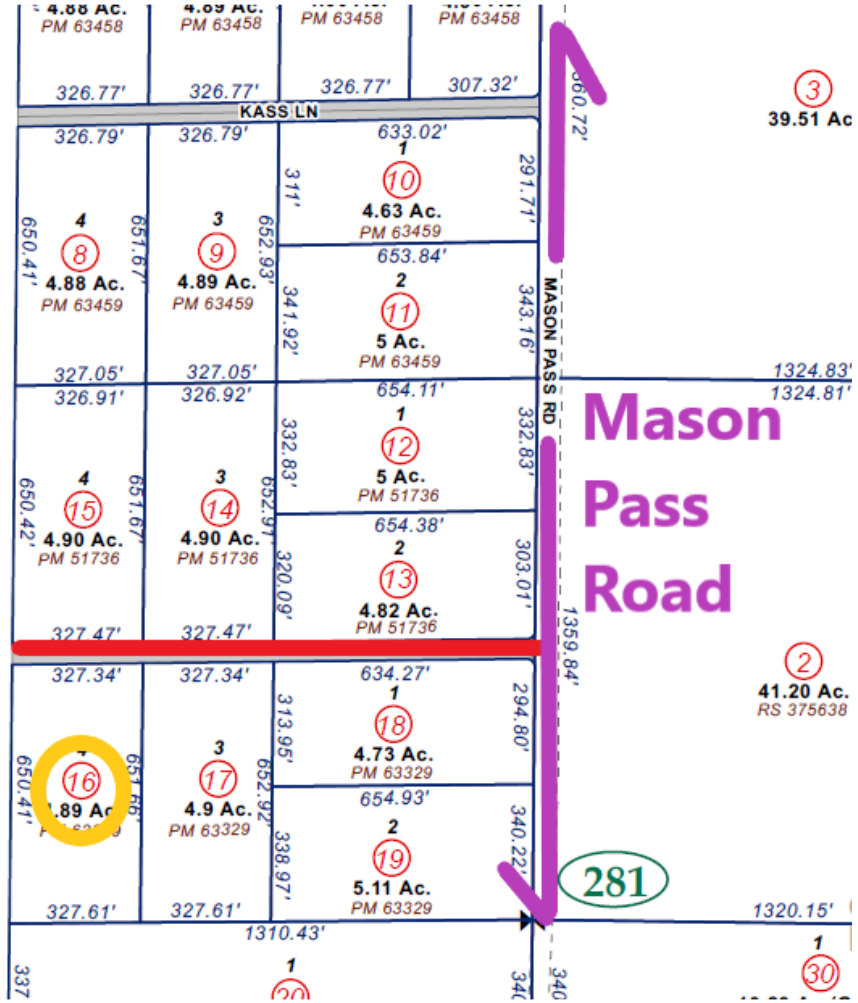


Applicants:
W. Wilson and R. Collins

Un-named easement
Approximately 2 miles west of Hwy 95A.

Community Development Department

Mason Valley



Unnamed access is in *RED.*

This **street name request** is to provide a name to **a currently unnamed access easement created through a previously approved Parcel Map.** The applicants would like to reserve the street name of **BUCKAROO LANE.**

Process and Recommendation

Responses from

- **Lyon County Roads**,
- **Mason Valley Fire Protection District**,
- **Lyon County Sheriff's Dispatch** and the
- **Building Department** indicate that the proposed street name is acceptable.

The **Planning Commission**, on November 14, 2023, **voted 7-0** to recommend **Approval**.

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-couny.org

Staff Report and Planning Commission Action

PLZ-2023-070 Street Name Request

Meeting / Date: Board of Commissioners / December 7, 2023

Owner: Wendy Ann Wilson and Rlo Lee Collins

Applicant: Same

Area Location: Mason Valley

Parcel Number: (APN) 014-281-16

Master Plan: Rural Residential

Zoning: RR-5 - Rural Residential District (5-acre minimum)

Case Planner: Louis Cariola

Request

This street name request is to provide a name to a currently unnamed access easement created through a previously approved Parcel Map. The applicants would like to reserve the street name of BUCKAROO LANE.

Staff Recommendation

Staff recommends approval of the street name of Buckaroo Lane with the imposition of the condition of approval as proposed below.

Suggested Motion

The Lyon County Planning Commission finds that:

The proposed street name is consistent with the general purpose and intent of the street name policy in Title 15 Chapter 280.03 of the Lyon County Code.

Based on the aforementioned finding, the Lyon County Board of Commissioners approves the request for reservation of the street name Buckaroo Lane by Wendy Ann Wilson and Rlo Lee Collins for access to APN 014-281-16 (PLZ-2023-070), subject to the following condition:

1. The requested street name, Buckaroo Lane, is approved unless it is determined that there is a duplicate street name or that a name that would create a public safety hazard due to another similar existing street name(s). Should the requested street name be denied, the Planning Director is authorized to administratively process a request for a replacement street name, obtain review and comment from the fire district with jurisdiction, Road Department and any other appropriate agency, and approve a revised street name without the requirement of a public hearing before the Planning Commission and Board of County Commissioners.

Location

The five (5) acre parcel is situated approximately 1,288.95 feet from the westerly boundary line of Mason Pass Road, Mason Valley.

Staff Review and Comments

The applicants are requesting a road name for the primary access to their property. The parcels along this currently unnamed roadway were created on a Parcel Map recorded in September 1991 (Document No. 63329). This Parcel Map created only the south half of the road easement. The road easement was stated on the map as a 25 foot "non-exclusive Road Easement".

The north half (25') of the road easement was created on a separate Parcel Map, recorded February 21, 1980. Neither of the road easements were named at that time.

The applicant is requesting the entire 50' wide road easement be named Buckaroo Lane. This roadway will not be maintained by Lyon County.

A water line was recently installed, at the expense of the property owners, with the approval of the City of Yerington, to provide municipal water service to theirs and other parcels along the same roadway.

Planning Department staff sent out review documents to the Lyon County Building Department, Road Department, Sheriff Department's Dispatch and the Mason Valley Fire Protection District for verification that duplicate names do not exist or that they have no objection.

Responses from Lyon County Roads, Mason Valley Fire Protection District, Lyon County Sheriff's Dispatch and the Building Department indicate that the proposed street name is acceptable:

ALTERNATIVE FINDINGS AND MOTIONS

The alternative motions suggested below are offered for the Board's consideration.

Motion for Continuance

If the Board of Commissioners determines that there is insufficient information with which to make a decision on the application before them, that additional information, discussion and public comment are necessary to have a more complete and thorough review of the proposed reversion to acreage map, then the Commissioners should make the appropriate findings and move to continue the Public Hearing for the parcel map application.

If so, then the Commissioners 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 street name reservation application.

Based on the finding listed above and the applicant's concurrence, the Board of Commissioners continues the reservation of the street names by Wendy Ann Wilson and Rlo Lee Collins for access to APN: 014-281-16 (PLZ-2023-070) for ___ days.

Motion for Denial

If the Planning Commission determines that they should deny the reservation of street names application, then the Planning Commission may wish to consider a motion similar to the following:

The Lyon County Planning Commission finds that:

- The proposed street names are not consistent with the general purpose and intent of the street name policy in Title 15 Chapter 280.03 of the Lyon County Code.

Based on the aforementioned finding, the Lyon County Board of Commissioners denies the reservation of the street names by Dustan E. and Leigh A. Page for access to APN: 016-401-002 (PLZ-18-0064 Wendy Ann Wilson and Rlo Lee Collins for access to APN: 014-281-16 (PLZ-2023-070)

LYON COUNTY PLANNING DEPARTMENT

Request to Reserve/Change Street Name(s)

Project Information

Project Name: Buckaroo Station

Project Street Address: 75 Mason Pass rd. Yerington NV. 89447

Community: Sunset Hills Section(s)/Township/Range: Yerington

Assessor's Parcel number(s)	Assessor's Parcel number(s)	Assessor's Parcel number(s)
014-281-16		

Street Name Requests

☒ Request to Reserve New Street Name(s) ☐ Request to Change a Street Name(s)

Present Street/Road Name(s): Buckaroo lane.

Requested Street/Road Name(s) *(List in alphabetical order and attach additional sheets if needed)*

1. Buckaroo lane.
2. Buck Bunny lane.

If final recordation has not occurred within two (2) years, it is necessary to submit a written request for extension of the street name reservation(s) prior to the expiration date of the original approval request.

Applicant Information

Applicant/Developer	**Professional Consultant/Representative**
Name: Wendy Wilson	Name:
Address: 75 Mason Pass rd.	Address:
City: Yerington State: NV. Zip: 89447	City: State: Zip:
Phone: 775 513 3391 Fax: —	Phone: Fax:
Cell: — Contact: —	Cell: Contact:
Email: wend.korbwilson@yahoo.com	Email:

For Official Use Only

County Agency Review

				Initials	Date
☐ Approved	☐ Approved except where noted	☐ Denied	Lyon County Building Dept.		
☐ Approved	☐ Approved except where noted	☐ Denied	Lyon County Planning Dept.		
☐ Approved	☐ Approved except where noted	☐ Denied	Lyon County Road Department		
☐ Approved	☐ Approved except where noted	☐ Denied	Lyon County Sheriff's Dispatch		
☐ Approved	☐ Approved except where noted	☐ Denied	Central Lyon County Fire Dist.		
☐ Approved	☐ Approved except where noted	☐ Denied	Mason Valley Fire Dist.		
☐ Approved	☐ Approved except where noted	☐ Denied	North Lyon County Fire Dist.		
☐ Approved	☐ Approved except where noted	☐ Denied	Smith Valley Fire Dist.		

Please refer to Street Naming Criteria pursuant to 11.07.14(A)(11) of the Lyon County Code (See next page).

Street Name Requirements

11.07.14(A)(11) of the Lyon County Code

Street names and suffixes shall be designated by the developer, subject to the approval of the Planning Commission and, in accordance with the following general policy and shall:

a. Be short (under 12 letters, if possible) and preferably in one word.

b. Have a simple spelling and easy pronunciation.

c. Avoid prefixes such as north and south, east and west and upper and lower, etc.

d. Be related to the type and importance of the street. (The suffix boulevard should not be attached to the name of a minor residential street.)

e. Avoid the use of numbers or letters as street names.

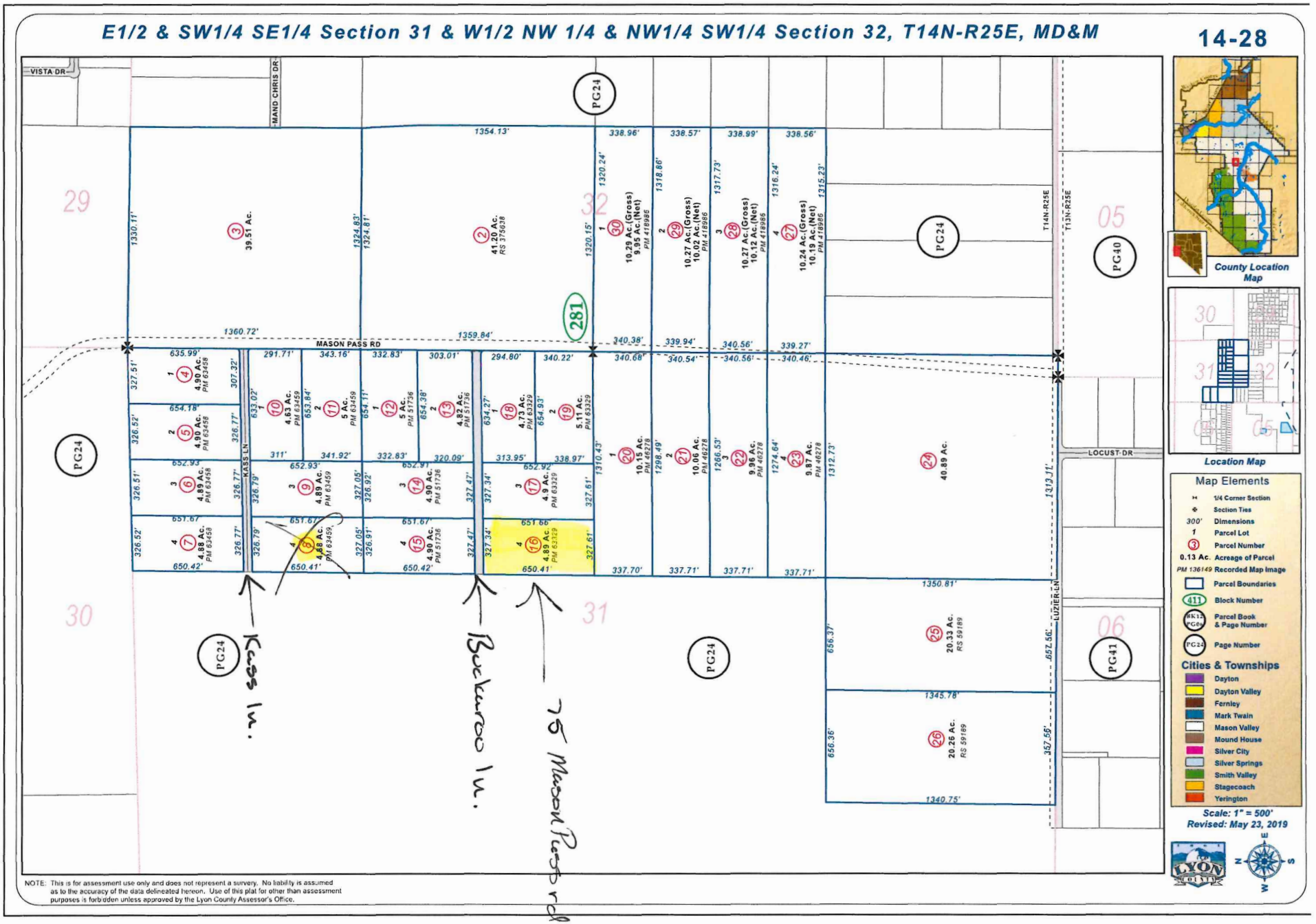
f. Not be incongruous, offensive or geographically misleading.

g. Not be repetitive or similar in sound and character to streets already in existence in Lyon County.

h. Have a single name for a street having a continuous alignment.

i. When to be connected in the future into a continuous alignment or extended, bear the same name as the existing street.

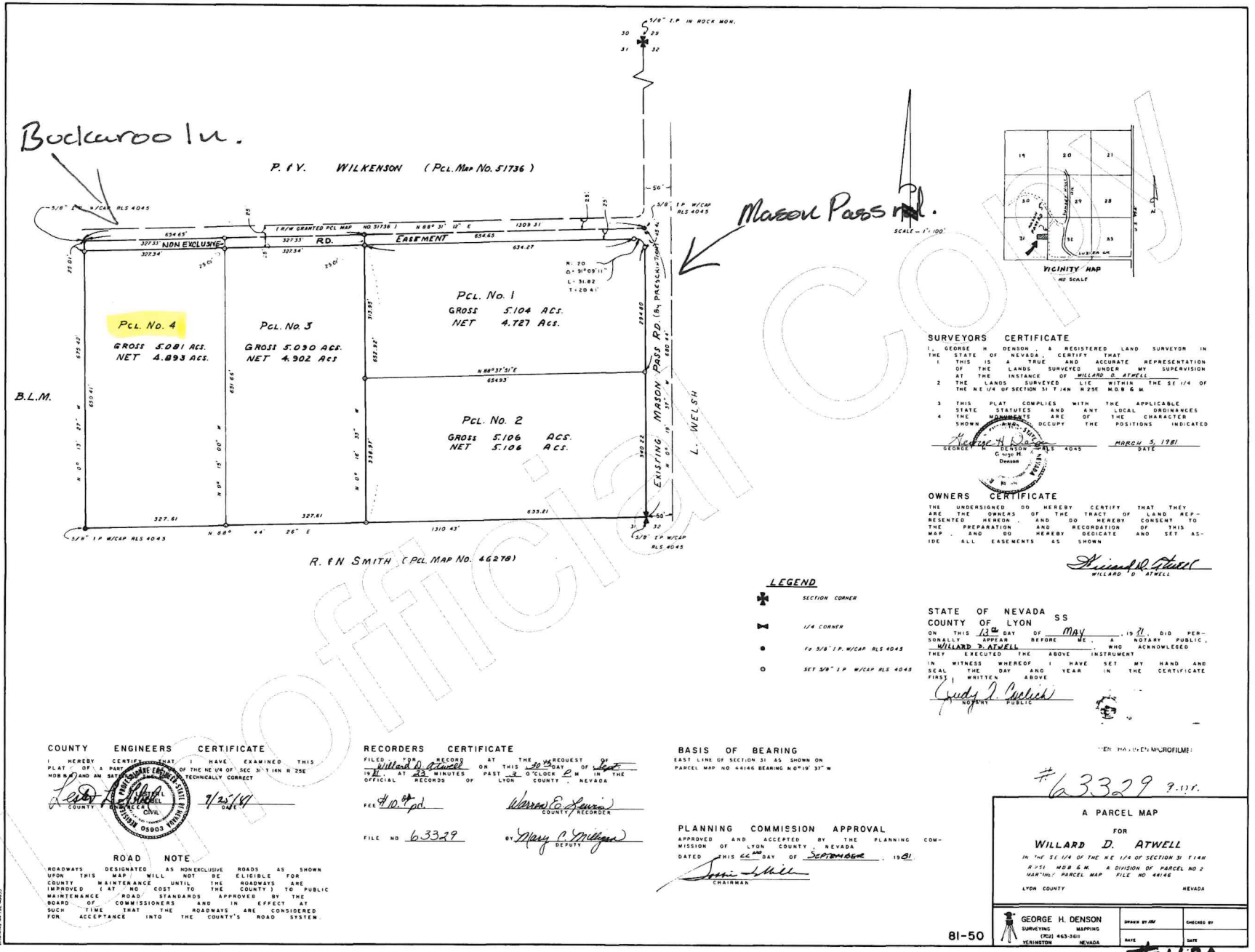
j. Have a metal street sign to be erected as specified in the "Standard Details For Public Works Construction" on at least one corner of every intersection and shall identify each street name.


E1/2 & SW1/4 SE1/4 Section 31 & W1/2 NW 1/4 & NW1/4 SW1/4 Section 32, T14N-R25E, MD&M
14-28
VISTA DR
MAND CHRIS DR
MASON PASS RD
KASS LN
LOCUST DR
LUZIER LN
T14N-R25E
T13N-R25E
29
30
31
32
05
06
PG24
PG40
PG41
281
Kass ln.
Buckaroo ln.
75 Mason Pass rd.
County Location Map
Location Map
Map Elements
1/4 Corner Section
Section Ties
Dimensions
Parcel Lot
Parcel Number
Acreage of Parcel
Recorded Map Image
Parcel Boundaries
Block Number
Parcel Book & Page Number
Page Number
Cities & Townships
Dayton
Dayton Valley
Fernley
Mark Twain
Mason Valley
Mound House
Silver City
Silver Springs
Smith Valley
Stagecoach
Yerington
Scale: 1" = 500'
Revised: May 23, 2019
NOTE: This is for assessment use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon. Use of this plat for other than assessment purposes is forbidden unless approved by the Lyon County Assessor's Office.

101

463329

9-30-81
PARCEL MAP
WILLARD ATWELL
SECTION 31, T14N, R25E.



SURVEYORS CERTIFICATE

I, GEORGE H. DENSON, A REGISTERED LAND SURVEYOR IN THE STATE OF NEVADA, CERTIFY THAT

1. THIS IS A TRUE AND ACCURATE REPRESENTATION OF THE LANDS SURVEYED UNDER MY SUPERVISION AT THE INSTANCE OF WILLARD D. ATWELL
2. THE LANDS SURVEYED LIE WITHIN THE SE 1/4 OF THE NE 1/4 OF SECTION 31 T 14N R 25E M.D.B & M.
3. THIS PLAT COMPLIES WITH THE APPLICABLE STATE STATUTES AND ANY LOCAL ORDINANCES
4. THE MONUMENTS ARE OF THE CHARACTER SHOWN AND OCCUPY THE POSITIONS INDICATED

George H. Denson
GEORGE H. DENSON RLS 4045 — MARCH 5, 1981 DATE

OWNERS CERTIFICATE

THE UNDERSIGNED DO HEREBY CERTIFY THAT THEY ARE THE OWNERS OF THE TRACT OF LAND REPRESENTED HEREON, AND DO HEREBY CONSENT TO THE PREPARATION AND RECORDATION OF THIS MAP, AND DO HEREBY DEDICATE AND SET ASIDE ALL EASEMENTS AS SHOWN

Willard D. Atwell
WILLARD D. ATWELL

LEGEND

- SECTION CORNER
- 1/4 CORNER
- FD 5/8" I.P. W/CAP RLS 4045
- SET 5/8" I.P. W/CAP RLS 4045

STATE OF NEVADA
COUNTY OF LYON SS

ON THIS 13th DAY OF MAY, 1981, DID PERSONALLY APPEAR BEFORE ME, A NOTARY PUBLIC, WILLARD D. ATWELL, WHO ACKNOWLEDGED THEY EXECUTED THE ABOVE INSTRUMENT

IN WITNESS WHEREOF I HAVE SET MY HAND AND SEAL THE DAY AND YEAR IN THE CERTIFICATE FIRST WRITTEN ABOVE

Judy J. Corlett
NOTARY PUBLIC

COUNTY ENGINEERS CERTIFICATE

I HEREBY CERTIFY THAT I HAVE EXAMINED THIS PLAT OF A PART OF THE NE 1/4 OF SEC 31 T 14N R 25E MDB&M AND AM SATISFIED THAT IT IS TECHNICALLY CORRECT

Leslie A. Mabel
COUNTY ENGINEER — 9/25/81 DATE

REGISTERED PROFESSIONAL ENGINEER STATE OF NEVADA 05903 CIVIL

ROAD NOTE

ROADWAYS DESIGNATED AS NONEXCLUSIVE ROADS AS SHOWN UPON THIS MAP WILL NOT BE ELIGIBLE FOR COUNTY MAINTENANCE UNTIL THE ROADWAYS ARE IMPROVED (AT NO COST TO THE COUNTY) TO PUBLIC MAINTENANCE ROAD STANDARDS APPROVED BY THE BOARD OF COMMISSIONERS AND IN EFFECT AT SUCH TIME THAT THE ROADWAYS ARE CONSIDERED FOR ACCEPTANCE INTO THE COUNTY'S ROAD SYSTEM.

RECORDERS CERTIFICATE

FILED FOR RECORD AT THE REQUEST OF Willard D. Atwell ON THIS 20th DAY OF Sept 1981, AT 23 MINUTES PAST 3 O'CLOCK P M IN THE OFFICIAL RECORDS OF LYON COUNTY, NEVADA

FEE $10.00 pd. — Warren E. Lewis COUNTY RECORDER

FILE NO 63329 — BY Mary C. Milligan DEPUTY

BASIS OF BEARING

EAST LINE OF SECTION 31 AS SHOWN ON PARCEL MAP NO 44146 BEARING N 0°19' 37" W

PLANNING COMMISSION APPROVAL

APPROVED AND ACCEPTED BY THE PLANNING COMMISSION OF LYON COUNTY, NEVADA

DATED THIS 22nd DAY OF SEPTEMBER, 1981

CHAIRMAN

WHEN MAILED MICROFILMED:

#63329 9.11.81

A PARCEL MAP
FOR
WILLARD D. ATWELL

IN THE SE 1/4 OF THE NE 1/4 OF SECTION 31 T 14N R 25 E MDB & M. A DIVISION OF PARCEL NO 2 MARTINI PARCEL MAP FILE NO 44146

LYON COUNTY NEVADA

GEORGE H. DENSON
SURVEYING MAPPING
(702) 463-3611
YERINGTON NEVADA

DRAWN BY JM — CHECKED BY
DATE — DATE

81-50

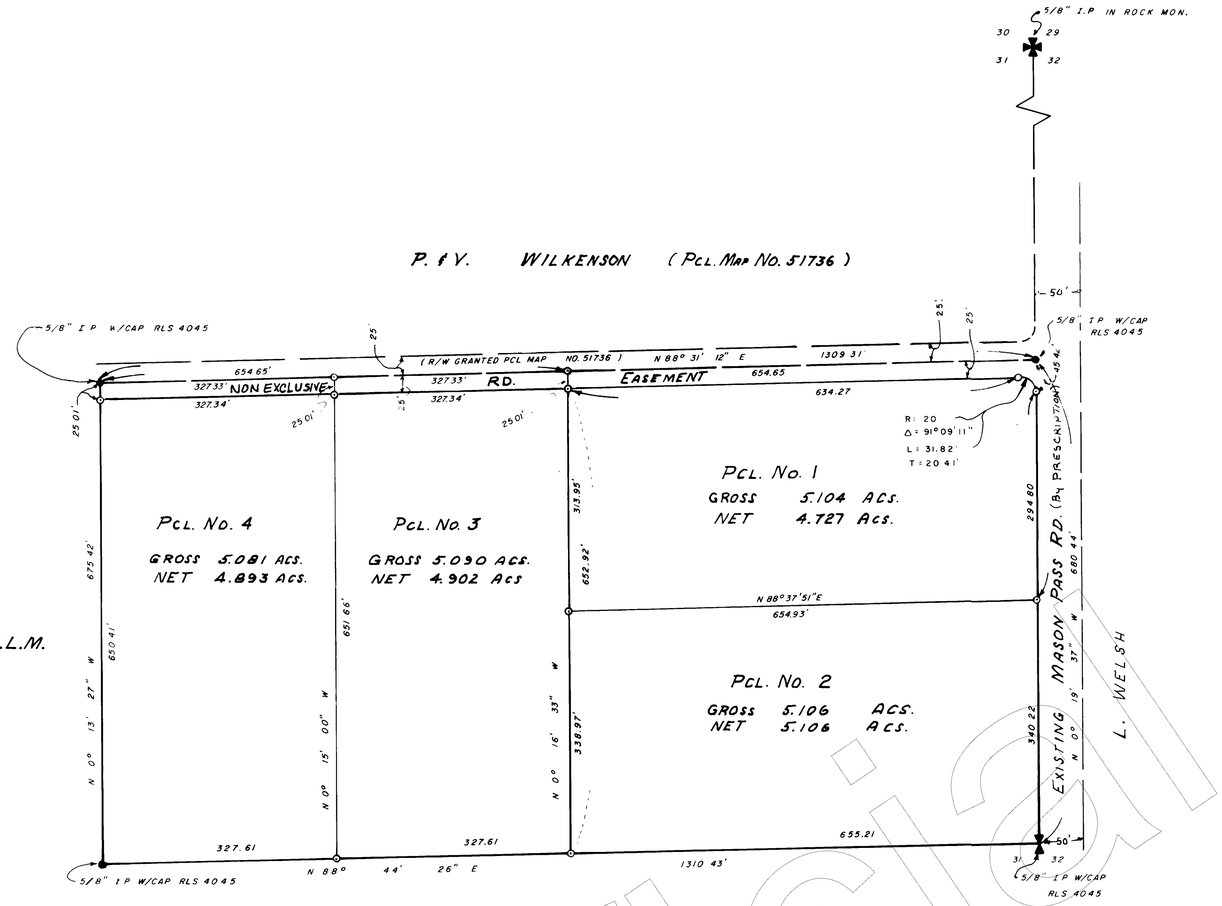
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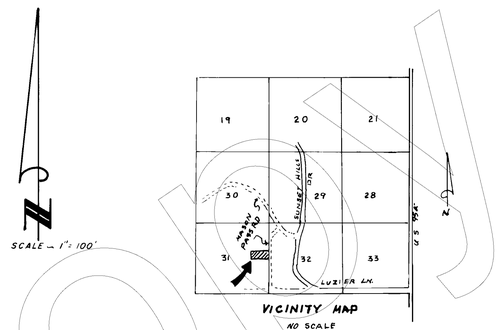
BRUNING 44-132 40653

Unofficial Copy

#63329
9-30-81
PARCEL MAP
WILLARD ATWELL
SECTION 31, T14N, R25E.

1/30





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George H Denson — MARCH 5, 1981

GEORGE H DENSON PLS 4045 — DATE

George H. Denson — No. 4045 — STATE OF NEVADA

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WILLARD D ATWELL

STATE OF NEVADA SS COUNTY OF LYON

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Cindy J. Ewelch
NOTARY PUBLIC

LEGEND

- SECTION CORNER
- 1/4 CORNER
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COUNTY ENGINEERS CERTIFICATE

I HEREBY CERTIFY THAT I HAVE EXAMINED THIS PLAT OF A PART OF THE NE 1/4 OF SEC 31 T 14N R 25E MDB & M AND AM SATISFIED THAT IT IS TECHNICALLY CORRECT

Lester L. Fifield — LESTER L FIFIELD — CIVIL — REGISTERED PROFESSIONAL ENGINEER — STATE OF NEVADA — 05903

COUNTY ENGINEER — 9/25/81 DATE

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RECORDERS CERTIFICATE

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FEE #10.00 pd.

Warren E. Lewis — COUNTY RECORDER

FILE NO 63329

BY Mary C. Milligan — DEPUTY

BASIS OF BEARING

EAST LINE OF SECTION 31 AS SHOWN ON PARCEL MAP NO 44146 BEARING N 0°19' 37" W

PLANNING COMMISSION APPROVAL

APPROVED AND ACCEPTED BY THE PLANNING COMMISSION OF LYON COUNTY, NEVADA

DATED THIS 22nd DAY OF SEPTEMBER, 1981.

CHAIRMAN

81-50

THIS HAS BEEN MICROFILMED

#63329 R.P.M.

A PARCEL MAP

FOR

WILLARD D. ATWELL

IN THE SE 1/4 OF THE NE 1/4 OF SECTION 31 T 14N R 25E MDB & M. A DIVISION OF PARCEL NO 2 MARTINS PARCEL MAP FILE NO 44146

LYON COUNTY NEVADA

GEORGE H. DENSON SURVEYING MAPPING (702) 463-3611 YERINGTON NEVADA	DRAWN BY AM	CHECKED BY	
	DATE	DATE	

#1130

BRUNING 44-132 40653

Unofficial Copy

Lyon County Board of County Commissioners Agenda Summary

Meeting Date: December 7, 2023

Agenda Item Number:
13.b

Subject:
For Possible Action: Approve a Conditional Use Permit request from NV Energy to construct and operate a Power Substation and Power Transmission Lines, 60kV or greater on portions of three parcels totaling 343.1 acres, located approximately 2,600 feet to the east of the intersection of US Route 95 and Sierra Way, in the HI-R (Heavy Industrial - Rural) and LI-R (Light Industrial - Rural) zoning districts in Mason Valley (APNs: 014-091-09, -10, -11) PLZ-2023-052.

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

STAFF REPORT AND PLANNING COMMISSION ACTION

PLZ-2023-052

Proposed Action: Conditional Use Permit to construct and operate a Power Substation and Power Transmission Line, 60kV or greater on a 343.1-acre portion of three parcels totaling 2,519.4 acres, located approximately 2,600 feet to the east of the intersection of US Route 95 and Sierra Way, in the HI-R (Heavy Industrial - Rural) and LI-R (Light Industrial - Rural) zoning districts in Mason Valley (APNs: 014-091-09, -10, -11) PLZ-2023-052.

Meeting / Date: Board of Commissioners / December 7, 2023

Property Owners: Dan C. and Tara L. Morose for APN: 014-091-09

Sierra Pacific Power Company for APNs: 014-091-10, -11

Applicant: Adam Godorov (NV Energy)

Location: Mason Valley

Parcel Numbers: 014-091-09, -10, and -11

Parcel Sizes: 1,712.50, 127.13, and 679.77 acres (total: 2,519.4 acres)

Master Plan: Industrial

Zoning: HI-R (Heavy Industrial - Rural) for APN: 014-091-09

LI-R (Light Industrial – Rural) for APNs: 014-091-10, -11

Flood Zone(s): A and X-Unshaded per FIRM 32019C

Case Planner: Lisa Nash for Bill Roth (retired)

REQUEST

The Applicant is requesting a Conditional Use Permit (CUP) to allow the construction, operation, and maintenance of a *Power Substation* and *Power Transmission Line, 60kV or greater* on a 343.1-acre portion of three parcels totaling 2,519.4 acres, located approximately 2,600 feet to the east of the intersection of US Route 95 and Sierra Way, in the HI-R (Heavy Industrial - Rural) and LI-R (Light Industrial - Rural) zoning districts in Mason Valley (APNs: 014-091-09, -10, -11) PLZ-2023-052.

PROJECT SUMMARY

In submitting this CUP Application, NV Energy is seeking approval for the following facilities, along with associated distribution lines, system communications, access roads, pull sites, and a material yard:

- 500/345/230/120-kV Walker River Substation. Construction is scheduled to start in February 2024.
- 525-kV Esmeralda-Walker River Transmission Line. Construction is scheduled to start in October 2025.

These facilities would be a part of NV Energy's Greenlink West Transmission Project, a system of new 120-kilovolt (kV), 230-kV, 345-kV, and 525-kV electric facilities between Las Vegas and Reno, Nevada. The subject parcels have a Master Plan designation of Industrial and are zoned HI-R (Heavy Industrial - Rural) and LI-R (Light Industrial - Rural). Power substations and Power transmission lines, 60kV or greater may be allowed in the HI-R and LI-R zoning districts, subject to the approval of a Conditional Use Permit.

PLANNING COMMISSION RECOMMENDATION

At the November 14, 2023 Planning Commission meeting, by a unanimous vote (7 Ayes; 0 Nay; 0 Abstentions), the Planning Commission motioned to forward a recommendation of approval to the Board of County Commissioners for the request for a Conditional Use Permit.

RECOMMENDED MOTION

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

The Lyon County Board of County 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 Board of County Commissioners approve the request by Adam Godorov of NV Energy for a Conditional Use Permit to allow the construction, operation, and maintenance of a Power Substation and Power Transmission Line, 60kV or greater, on a 343.1 acre portion of three parcels totaling 2,519.4 acres. The parcels are located approximately 2,600 feet to the east of the intersection of US Route 95 and Sierra Way, in the HI-R (Heavy Industrial - Rural) and LI-R (Light Industrial - Rural) zoning districts in Mason Valley, on APNs 014-091-09, -10, and -11, subject to the following Conditions of Approval (PLZ-2023-052).

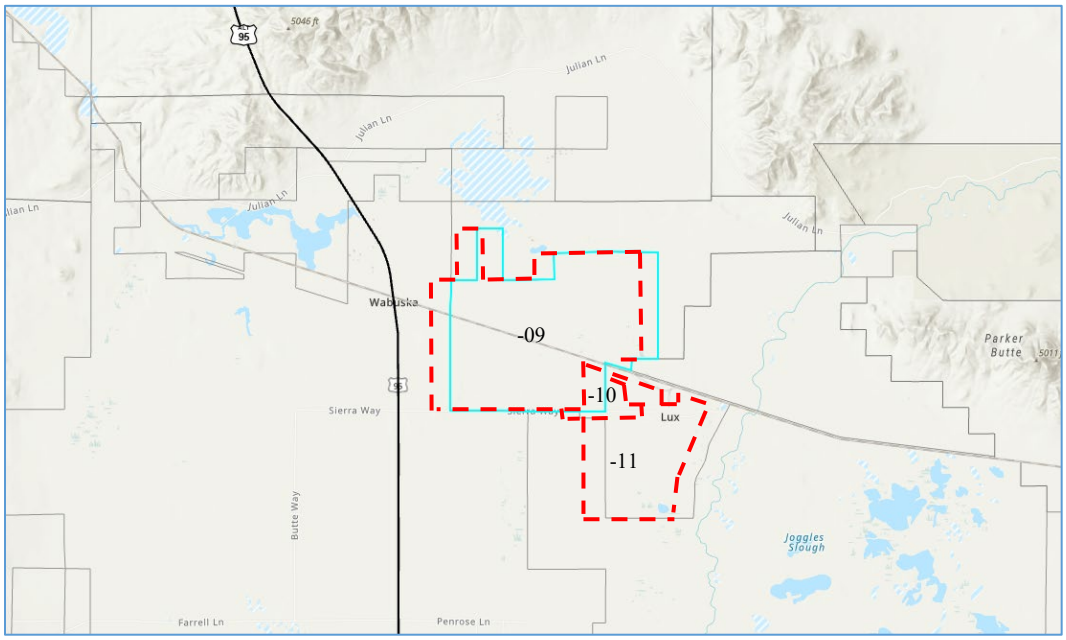
CONDITIONS OF APPROVAL

1. No change in the terms and conditions of the Conditional Use Permit (CUP), as approved, shall be undertaken without first submitting the changes to Lyon County Community Development and having them modified in conformance with Lyon County Code.
2. The applicant shall comply with all applicable Fire, building, zoning and improvement code requirements and obtain any necessary public inspections.
3. All construction documents and separate applications must be submitted to the Mason Valley Fire Protection District (MVFPD) and the Lyon County Building Department for review and approval to obtain a Building Permit.
    a. Fire plan review by MVFPD is required.
    b. An encroachment permit from the Lyon County Road Department (LCRD) is required for work in the public right of way.
4. All contractors doing any construction, modifications, or remodels must be licensed in Lyon County and the State of Nevada.
5. Water use and the disposal of wastewater and solid waste shall be managed per local, state, and federal regulations.
6. Exterior lighting shall be downward facing and shielded such that light is not shed onto adjacent properties and public rights-of-way.
7. Off-street parking for the construction, operation, and maintenance of all proposed uses and facilities shall be provided on-site and in accordance with Lyon County Code 15.401.03 Off-Street Parking Requirements.
8. A portion of the subject property, specifically the southeastern half of APN: 014-091-11, is located within Flood Zone A. Prior to any development on APN: 014-091-11, as defined in Lyon County code section 15.02.01, the applicant shall secure approval of a flood plain development permit through the County Engineer and/or the Floodplain Administrator.
9. Prior to operation, the Applicant shall ensure the satisfactory completion of all required access, driveway and parking improvements to County and International Fire Code standards, as required by the Lyon County Planning Department, the Lyon County Road Department, and the Mason Valley Fire Protection District.
    a. The Applicant shall enter into a road maintenance and traffic management agreement with the County for the maintenance and dust control of rights-of-way in front of the subject parcels and to ensure satisfactory traffic flow during the construction period of the project. Once the construction of the project is completed and the amount of traffic generated by the project is minimal, the road maintenance and traffic management agreement may expire.
10. Construction, operation, and maintenance of the proposed 525-kV transmission line and Walker River Substation shall meet or exceed National Electrical Safety Code (NESC) requirements.
11. The applicant shall comply with Lyon County's 2018 revised drainage guidelines to the satisfaction of the County Engineer prior to occupancy.
12. The substantial failure to comply with the conditions imposed on the issuance of this conditional use permit or the operation of the conditional use in a manner that endangers the health, safety or welfare of Lyon County or its residents or the violation of ordinances, regulations or laws in the conditional use may result in the institution of revocation proceedings. **Failure to initiate the conditional use permit within two (2) years from the date of approval will result in the expiration of the conditional use permit approval.**

BACKGROUND INFORMATION

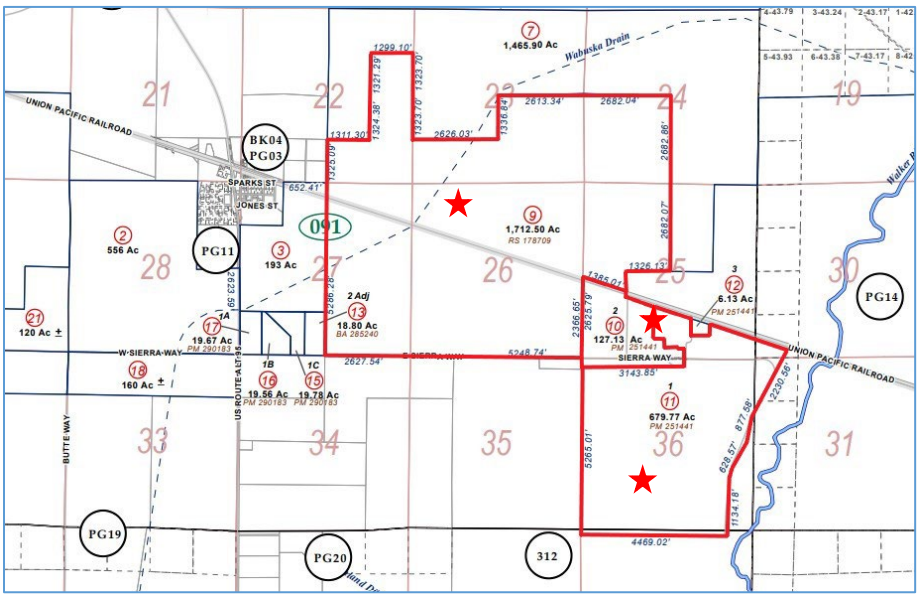
Location

The three subject parcels are located in Mason Valley (Wabuska) to the north of Sierra Way, approximately 2,600 feet to the east of the intersection of US Route 95 and Sierra Way (APNs: 014-091-09, -10, and -11).



Subject Parcel Sizes, Access, and Topography

The proposed project would be located on an approximately 343.1 acre portion of three contiguous parcels that total ~2,519 acres in area (APNs: 014-091-09, -10, and -11). Site access would be provided by Sierra Way. The site is relatively flat and there are no significant topographic features such as steep slopes, ridges, or intrusive dikes that would limit or restrict the project.



Three Subject Parcels ★

Site Photos

The images below were provided by the applicant.



PHOTO 1 VIEW SOUTHWEST ALONG AGENCY PREFERRED ALTERNATIVE FOR 525-KV TRANSMISSION LINE



PHOTO 2 VIEW WEST TO AGENCY PREFERRED ALTERNATIVE FOR 525-KV TRANSMISSION LINE



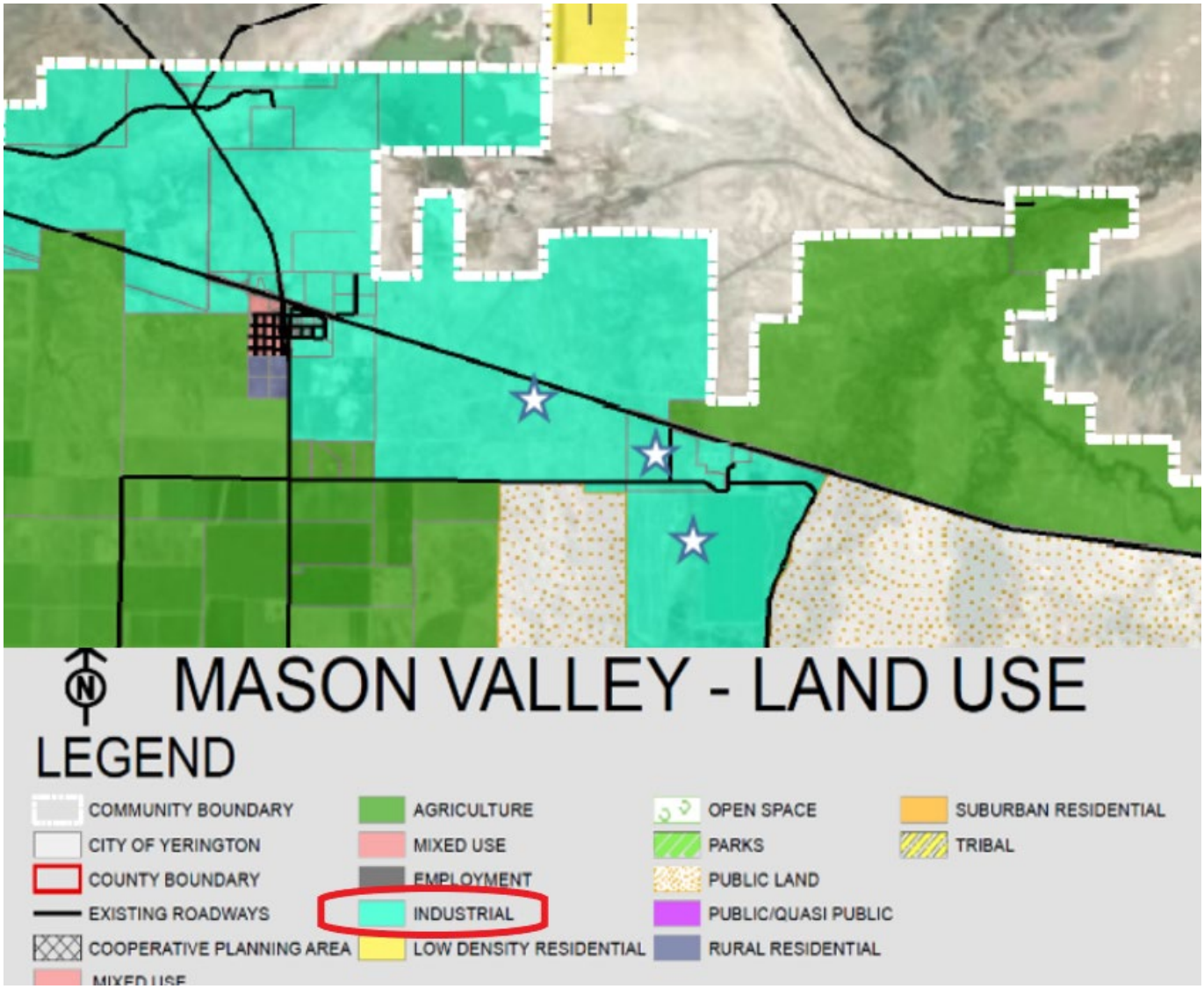
PHOTO 3 VIEW NORTH FROM SIERRA WAY TO PROPOSED WALKER RIVER SUBSTATION



PHOTO 4 VIEW EAST ALONG SIERRA WAY. WALKER RIVER SUBSTATION TO BE SITUATED TO THE NORTH / LEFT SIDE OF PHOTO.

Master Plan

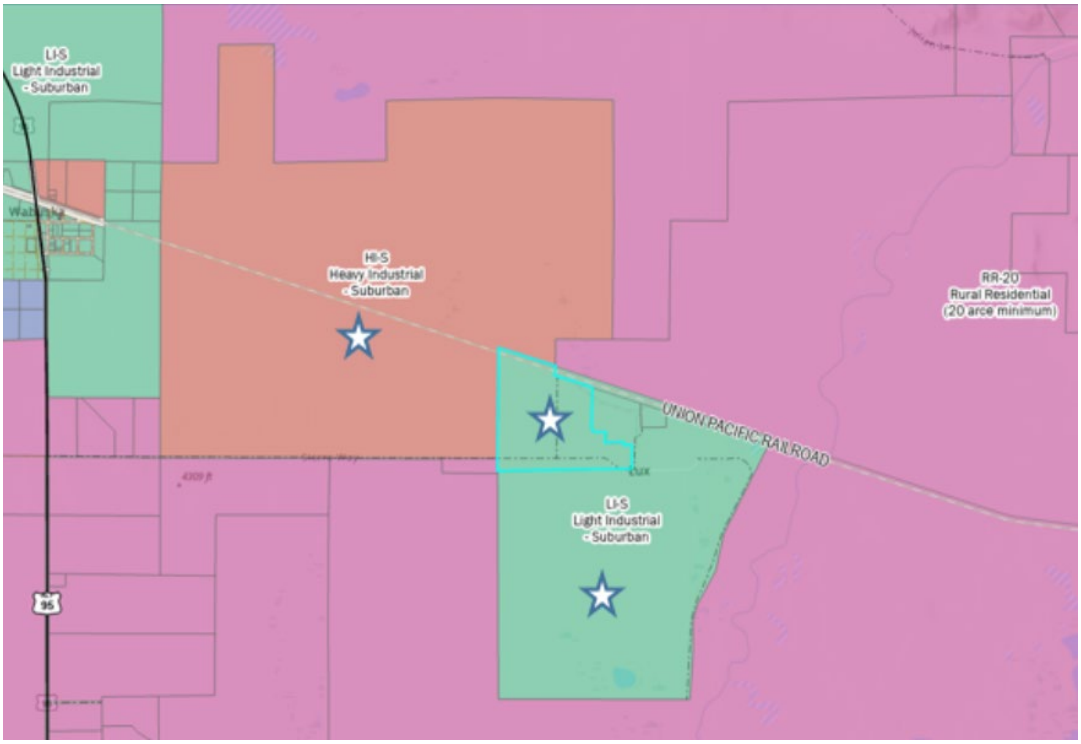
The Master Plan designation for the three subject parcels is Industrial. Surrounding parcels are designated Agriculture and Public Land, as shown in the Master Plan image below.



Zoning

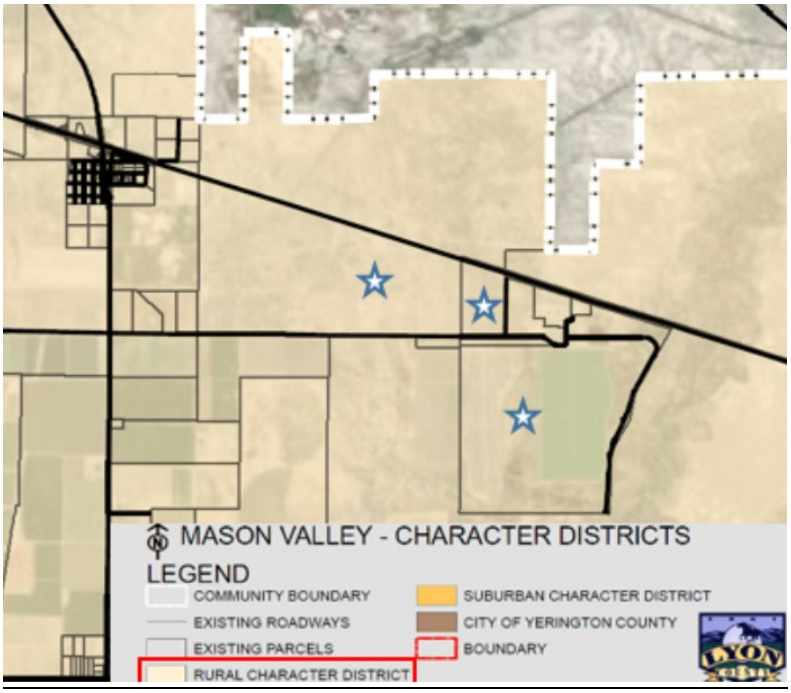
The subject parcels are zoned HI-R (Heavy Industrial - Rural) for APN: 014-091-09 and LI-R (Light Industrial – Rural) for APNs 014-091-10 and -11, under the County's current land use and development code, Title 15, and are located within a Rural Character District, as discussed in the next section. The surrounding zoning is LI-R (Light Industrial – Rural) and RR-20 (Rural Residential – 20 acre minimum).

With the adoption of Title 15, the Board of Commissioners also adopted Exhibit A – Zoning Consistency Matrix. The Zoning Consistency Matrix is to be used to determine the correct land use and development regulations to use until staff completes the Title 15 rezoning to convert properties from the Title 10 zoning districts over to the Title 15 zoning districts. Under Title 10, the subject parcels are zoned M-1 (General Industrial District) and M-E (Industrial Estates District).



Rural Character District

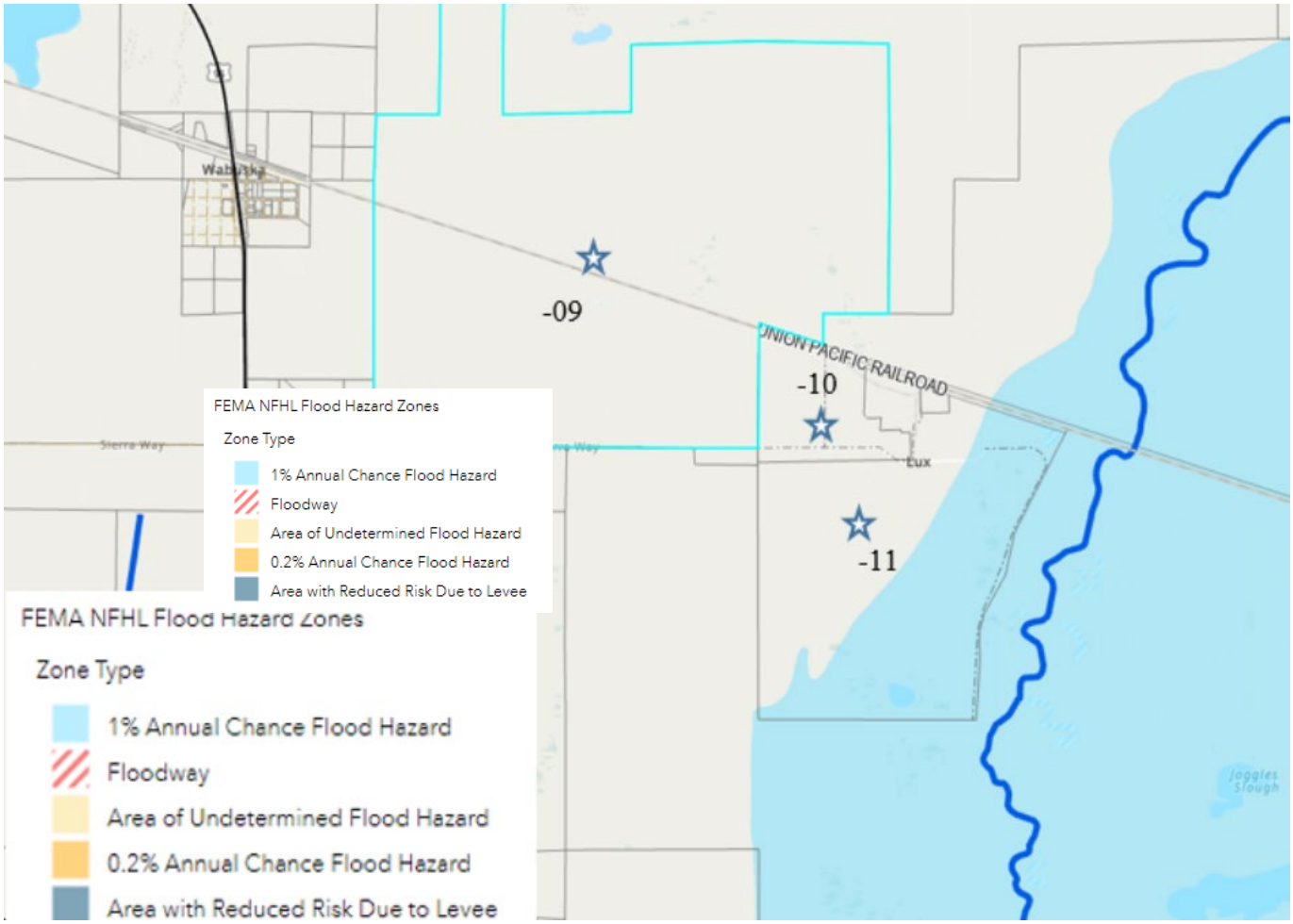
The three subject parcels are located in the Mason Valley Rural Character District. Per the Master Plan, Rural Districts include those areas that are predominately low density residential development with limited neighborhood commercial uses. They may or may not have agricultural land uses or grazing lands. Improvement standards will reflect the "rural" character of the area. Rural districts are not likely to have municipal water and sewer. Roads are likely to have dirt shoulders, some equestrian paths as well as bike facilities within road rights-of-way.



Flood Zone Designation

As shown in the image below, the subject site is primarily located within Flood Zone X Unshaded (Area of Minimal Flood Hazard) per the FEMA Flood Insurance Rate Map Panel 32019C. The southeastern half of APN: 014-091-11, however, is located in Flood Zone A. Section 15.800.08(A) of the Lyon County Code states that a floodplain development permit must be approved before construction or development is allowed to begin within any area of special flood hazard established in subsection 15.800.07(A), such as Flood Zone A. Per 15.800.13(J), construction on parcels that are within multiple flood zones, as is the case with APN: 014-091-11, must be done to the standards of the most restrictive flood zone (Flood Zone A, in this case). The floodplain development permit is required for all structures as well as for all development including fill and other activities as defined in 15.1200.

In accordance with 15.800.08(A) and as a Condition of Approval for the proposed project, the Applicant shall obtain approval of a flood plain development permit prior to any development on APN: 014-091-11.



Public Facilities

Per the applicant, the project will not require long-term municipal utilities such as water, wastewater, and solid waste management and no new water rights are sought. During Project construction activities, water that is required to produce concrete for transmission structure foundations and for use to control dust along access roads and at construction work areas will be acquired from existing municipal or commercial sources, or other entities holding valid water rights. As a Condition of Approval, water, wastewater, and solid waste shall be managed per local, state, and federal regulations.

Project Description

NV Energy is seeking approval of a Conditional Use Permit to allow the construction, operation, and maintenance of the following facilities, along with associated distribution lines, system communications, access roads, pull sites, and a material yard:

- 500/345/230/120-kV Walker River Substation. Construction is scheduled to start in February 2024.
- 525-kV Esmeralda-Walker River Transmission Line. Construction is scheduled to start in October 2025.

These facilities would be a part of NV Energy's Greenlink West Transmission Project, a system of new 120-kilovolt (kV), 230-kV, 345-kV, and 525-kV electric facilities between Las Vegas and Reno, Nevada (shown in *Figure 1: Greenlink West,* below).

Per the applicant, the proposed project is described as follows:

> *This section describes the temporary and permanent Project facilities that NV Energy proposes on private land in Lyon County. Temporary facilities will be required for the Project's short-term construction activities. Construction activities for the proposed Walker River Substation are anticipated to last 9 to 12 months. Construction activities for the proposed 525-kV Esmeralda-Walker River Transmission Line are anticipated to last 3 to 6 months. The 0.3-mile-long portion of this transmission line situated on private land in Lyon County will take less than this amount of time to construct. Permanent facilities will be required for the Project's long-term operation and maintenance activities. The Project's temporary and permanent facilities subject to this Application are listed below:*
>
> ***Temporary Facilities***
>
> - *Transmission structure work areas.*
> - *Distribution structure work areas.*
> - *Guard structure work areas for wire-stringing activities during construction.*
> - *Pull sites for the 525-kV transmission line.*
> - *Access roads for construction activities.*
> - *Material yard for equipment delivery and storage.*
> - *Plant nurseries.*
>
> ***Permanent Facilities***
>
> - *525-kV Esmeralda-Walker River Transmission Line: 0.3-mile-long portion in unincorporated Lyon County.*

- *Electric distribution lines connecting the proposed Walker River Substation and microwave radio and optical amplifier facilities.*
- *500/345/230/120-kV Walker River Substation and a network of 120-kV, 230-kV, 345-kV, and 500-kV connections for this facility.*
- *Microwave radio facilities.*
- *Optical amplifier facilities.*
- *Access roads for operation and maintenance activities.*
- *Each of these types of facilities is described below.*

Figure 2 **[modified by Lyon Staff for clarity]:** *Project Site (below) shows the project facilities. It does not show individual transmission and distribution line structures, guard structures, pull sites, access roads, and plant nurseries as these facilities' locations have not been finalized. The Site Plan for Walker River Substation also has not yet been finalized. Prior to Project construction activities, NV Energy will provide the County with engineering design details and locations for these facilities as part of the BLM-approved Plan of Development (POD) and Construction, Operation, and Maintenance (COM) Plan.*

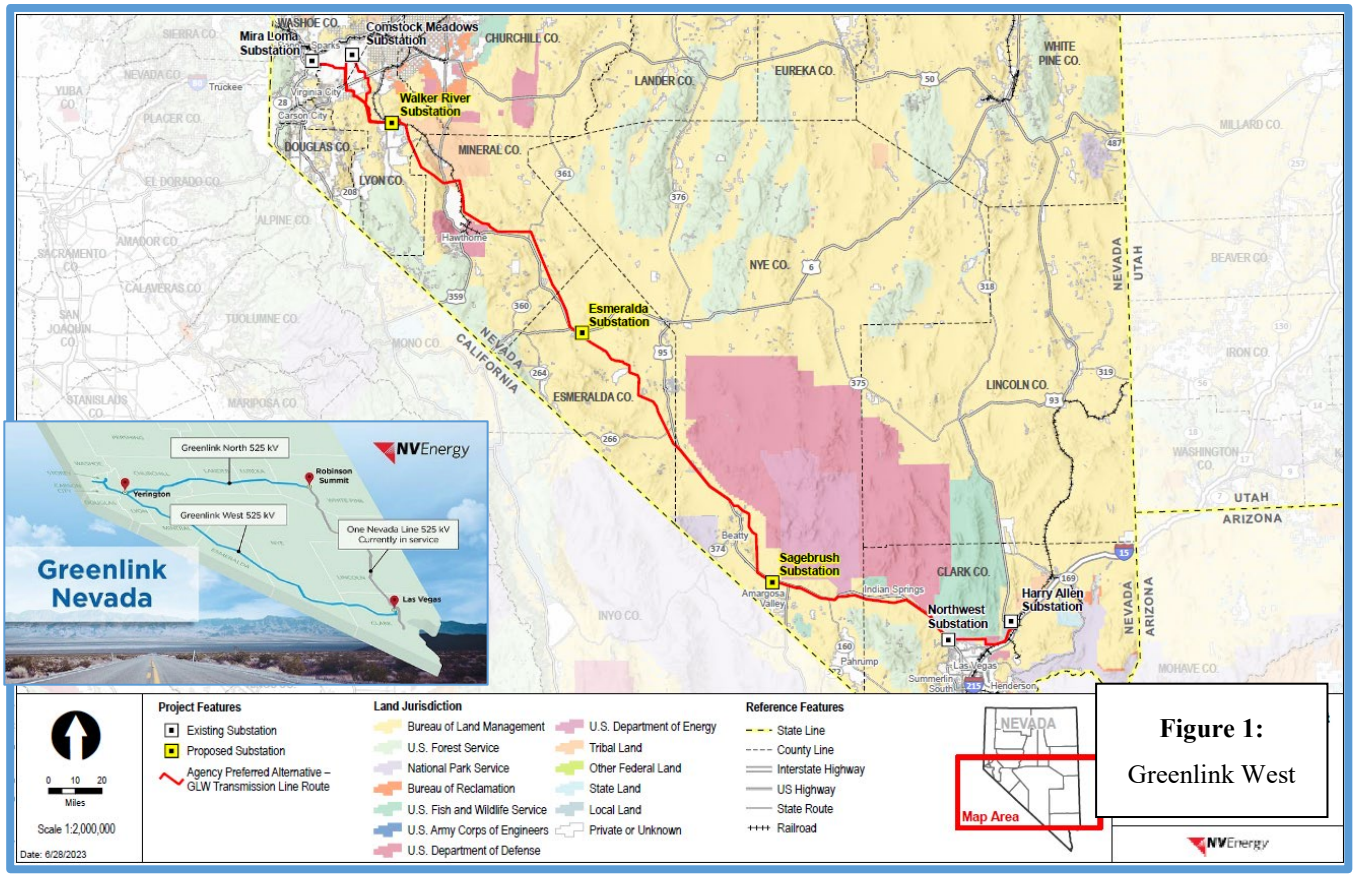


Figure 1:
Greenlink West

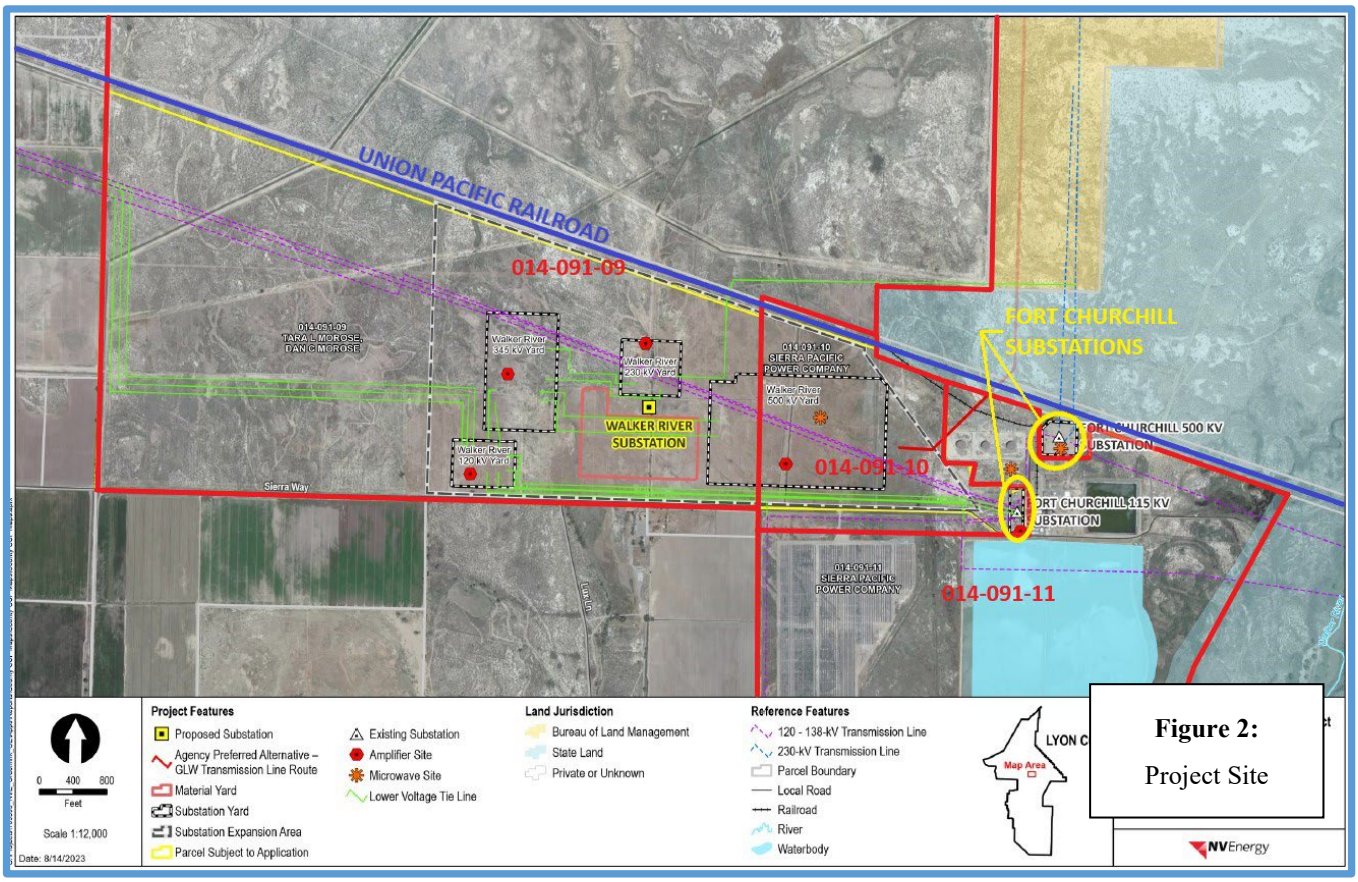


Figure 2:
Project Site

Parking

Because site plans for the proposed power substation have not been provided at this stage, a parking analysis cannot be done; however, as a condition of approval, all off-street parking for the construction, operation, and maintenance of all proposed uses and facilities shall be provided on-site and in accordance with Lyon County Code 15.401.03 Off-Street Parking Requirements.

Building Permit Required

Should the proposed CUP be approved, the proposed buildings and structures would be subject to Building Permit Review.

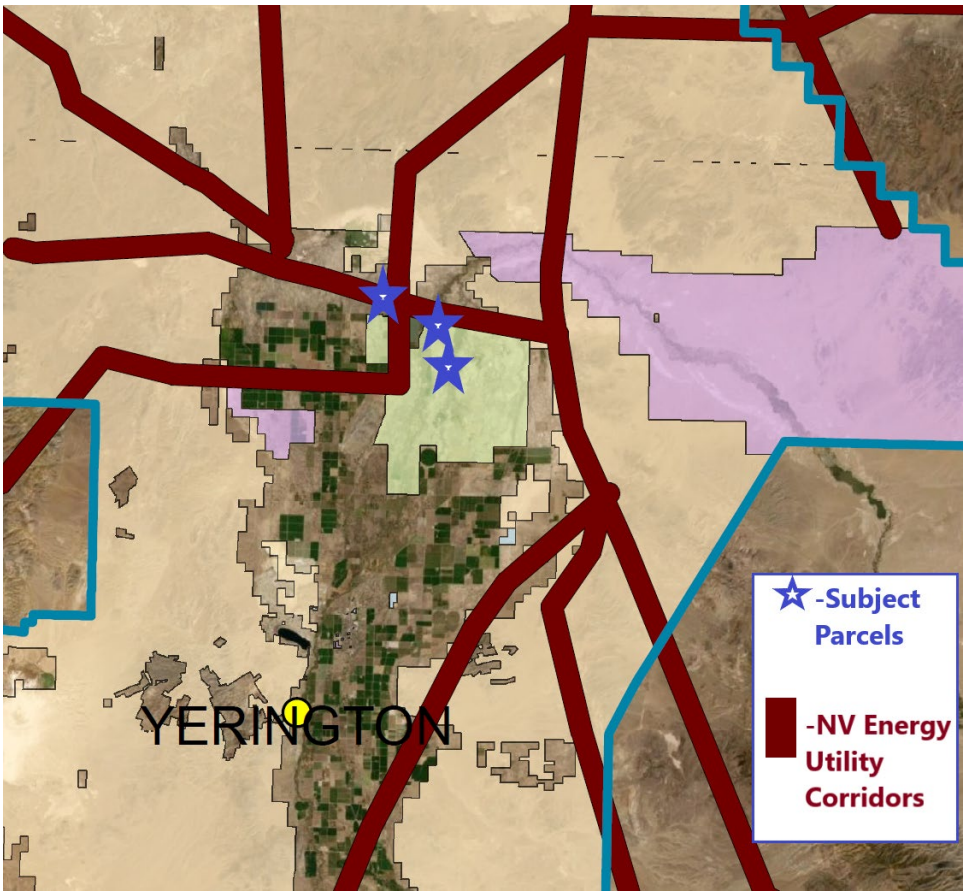
Conditional Use Permit

The proposed *Power Substation and Power Transmission Lines* require approval of a Conditional Use Permit, per Lyon County Code Table 15.320-4 (excerpted below). At least a portion of the proposed *Power Transmission Line, 60kV or greater* would be located outside of the BLM-designated utility corridor and, thus, is also not located "within a designated utility corridor identified in Master Plan," as shown in the *Master Plan's Public Facilities and Services Map – Aboveground Utility Corridors*, a portion of which is copied below.

TABLE 15.320-4
TABLE OF ALLOWED USES - EMPLOYMENT AND INDUSTRIAL ZONING DISTRICTS

P = Permitted; C = Conditional use permit required; T = Temporary use permit required; - = Not permitted

Use Category	*Use Type*	*LI-R*	*LI-S*	*HI-R*	*HI-S*	*SI*	*EMU*	*XX*	*Specific Use Requirements (Code Reference)*
	Power substations	C	C	C	C	C	-	-	Chapter 336
	Power transmission lines, 60kV or greater	C/P	C/P	C/P	C/P	C/P	C/P	C/P	Chapter 336; power transmission lines (greater than 60kV) located within a designated utility corridor identified in Master Plan are permitted subject to design review



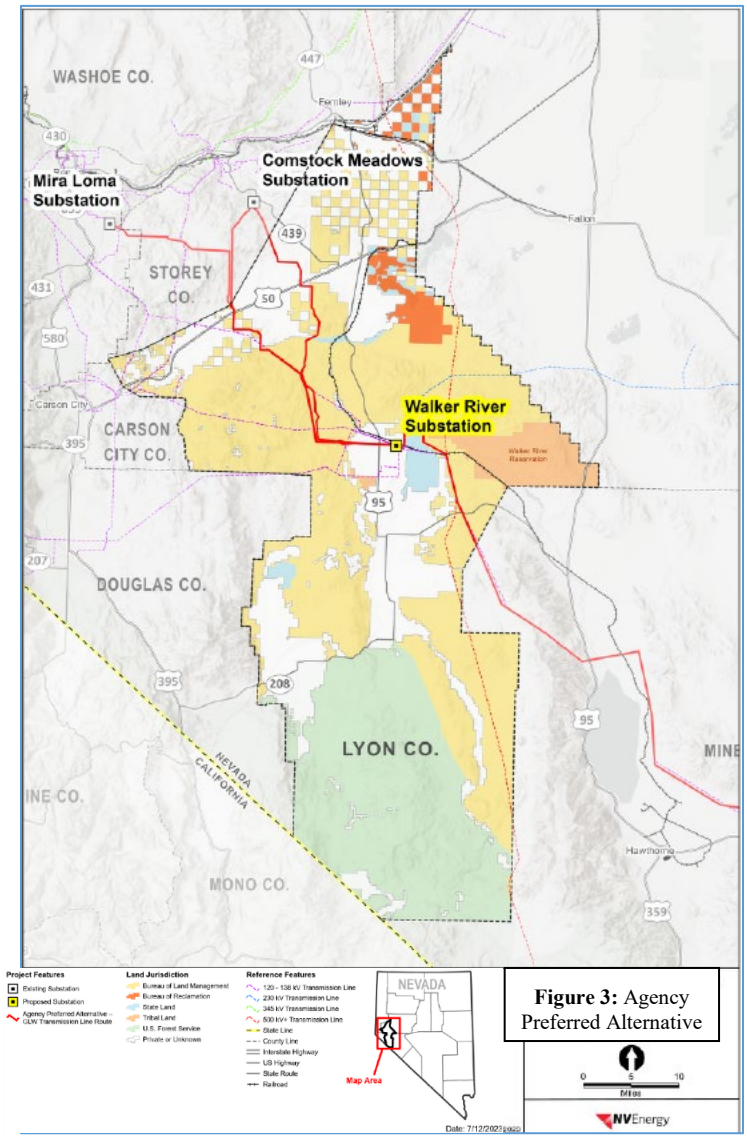
When considering applications for a CUP, the commission or Board must evaluate the impact of the conditional use on, and its compatibility with, surrounding properties and neighborhoods to mitigate potential impacts of the use at a particular location and make the following findings from *Chapter 15.230.06: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

FINDINGS

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

In Lyon County, the Agency Preferred Alternative's 525-kV transmission line (see Figure 3: Agency Preferred Alternative, below) crosses 0.3 mile of private land in comparison to 17 miles of BLM-administered, state, and tribal lands between the Mineral County border and the line's terminus at the proposed Walker River Substation. The Agency Preferred Alternative uses public lands in the BLM's designated utility corridors, which were established, in part, for routing electric power transmission facilities such as those proposed for the Project.



In the Lyon County 2020 Master Plan, Goal FS 5 – Utility Corridors seeks to locate utility corridors to protect natural, cultural, and visual resources, and minimize conflicts with communities (Lyon County 2020a). Relevant policies in the Plan for Goal FS-5 include Policies FS 5.1, FS 5.3, and FS 5.4. Policy FS 5.1 recognizes the need for inter-regional utility corridors including aboveground electrical transmission corridors to include those with electrical lines with capacities of 200-kV or greater in cooperation with the Nevada State Office of Energy, adjacent counties, the BLM, and other agencies with jurisdiction. Policy FS 5.3 states that aboveground utility corridors must not conflict with any existing or planned infrastructure or utility projects and must be located to minimize conflicts with residential and commercial development. Policy FS 5.4 states that the width of existing and future aboveground utility corridors shall be equivalent to the width of the easement required by the NESC plus any additional easement width required by the utility provider to ensure access to the infrastructure (Lyon County 2020a).

Through the NEPA process, the BLM has analyzed the Project's impacts on a range of land uses and natural, cultural, and visual resources, as well as on social factors including socioeconomics and impacts on low-income and minority populations. The BLM's impact analyses for these resources and the selection of the Agency Preferred Alternative helps protect these resources and minimizes conflicts with communities in Lyon County and in adjacent counties where other Project facilities are also proposed. In this way, the Agency Preferred Alternative's location will be consistent with and help Lyon County achieve Goal FS 5 and implement Policy FS 5.1.

On private land in Lyon County, the Agency Preferred Alternative does not cross developed communities. Instead, the proposed 525-kV transmission line's route crosses land that NV Energy owns as part of the existing Fort Churchill Substation and land on which NV Energy is in the process of acquiring to construct Walker River Substation. These lands are designated for industrial uses in Mason Valley. Construction, operation, and maintenance of the Project's facilities will be compatible with these adjacent industrial uses and will have minimal impacts on non-industrial land uses in the vicinity of the Project's facilities. In this way, the Agency Preferred Alternative will also help Lyon County implement Policy FS 5.3.

NV Energy will construct, operate, and maintain the proposed 525-kV transmission line and Walker River Substation to meet or exceed the NESC's requirements. More specifically, the Project's 525-kV transmission line will include a 200-foot-wide ROW sufficient to allow for the safe construction, operation, and maintenance of the line. Similarly, the proposed Walker River Substation has been sized to accommodate Project facilities with sufficient space to allow for expansion as shown on Figure 3. In these ways, the Project's proposed use will be consistent with and help Lyon County implement Policy FS 5.4.

The Plan also includes Goal LU 5: Encourage Resource Sensitive Growth. This goal encourages the use of renewable energy sources in Lyon County. One of the purposes of the Greenlink West Transmission Project is to support the State of Nevada Renewable Portfolio Standard for renewable energy, support State of Nevada Greenhouse Gas Emission Standards, and support mandated federal and State of Nevada energy infrastructure improvement initiatives. The Project will enable renewable energy facilities to connect to the electric transmission system and help Lyon County achieve Goal LU 5.

According to the Lyon County Assessor's data, parcel 014-091-09 is situated in the M1 zone and parcels 014-091-10 and 014-091-11 are situated in the ME zone. Parcel 014-091-09 is categorized as Use Code 600: Agricultural Qualified per Nevada Revised Statutes 361A – Vacant and parcels 014-091-10 and 014-091-11 are categorized as Use Code 700: Operating Communication, Transportation, and Utility Property of an Interstate or Inter-County Nature. A review of the Code did not identify these specific M1 and ME zone districts. However, the proposed Project's facilities can be reasonably assumed to be compatible with the purpose and intent of the adjacent industrial and agricultural/vacant land uses.

In these ways, the proposed use is consistent with the Plan's goals and policies concerning the location of utility corridors and the use of renewable energy sources, and the purpose and intent of the applicable zoning district regulations and thereby satisfies this criterion.

Staff Comment

The proposed uses are consistent with the Master Plan designation of Industrial and with the applicable goals and policies of the Master Plan, inset below. As shown in *Figure 2: Project Site* earlier in the report, the proposed power substation and transmission line would be located toward the northern part of the affected parcels in an area with existing utilities and far away from other non-industrial uses. As stated in the applicant's response above and as required as a Condition of Approval and in conformance with Policy FS 5.4, copied below, the construction, operation, and maintenance of the proposed 525-kV transmission line and Walker River Substation shall meet or exceed National Electrical Safety Code (NESC) requirements.

i. ***Goal FS 5: Utility Corridors.***

Utility Corridors will be located to ensure optimum connectivity, level of service, and protection of natural, cultural and visual resources, and minimize conflicts with communities.

ii. ***Policy FS 5.1***

Lyon County will create a process for the designation and approval of inter-regional utility corridors, including multi-modal transmission corridors, above ground electrical transmission corridors, and underground utility transmission corridors (i.e., inter-regional corridors within which electric transmission lines with capacities of 200 kV or greater, natural gas pipelines larger than 16 inches in diameter, water transmission pipelines larger than 16 inches, or similar utility infrastructure will be located) in cooperation with the Nevada State Office of Energy, all adjacent counties, the Bureau of Land Management, and any other agency with jurisdiction.

ii. ***Policy FS 5.2***

Lyon County will create a process for the designation and approval of aboveground electrical utility corridors with capacities of 60 kV to 199 kV in cooperation with the Nevada State Office of Energy, all adjacent counties, the Bureau of Land Management and NV Energy.

ii. ***Policy FS 5.3***

Aboveground utility corridors must not conflict with any existing or planned infrastructure or utility projects and must be located to minimize conflicts with residential and commercial development.

ii. ***Policy FS 5.4***

Width of existing and future aboveground utility corridors shall be equivalent to the width of the easement required by the National Electric Safety Code (NESC) plus any additional easement width required by the utility provider to ensure access to the infrastructure.

This Finding is met.

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

The Project's proposed 525-kV transmission line and associated facilities will be situated, to the extent practicable, in designated utility corridors adjacent to similar facilities. More specifically, where the Project crosses federal land, it will generally parallel the ROW of other proposed electric power transmission lines. In this way, the Project's facilities will be compatible with adjacent land uses. Where the Project's transmission line and Walker River Substation will be situated on private land in Lyon County, these facilities will be situated in the industrial area

mentioned above. There are no developed residential neighborhoods adjacent to these proposed facilities. As such, the Project will avoid impacting existing neighborhoods.

NV Energy will minimize Project-related adverse impacts, such as traffic, noise, odors, and visual nuisances as well as other nuisances such as dust, glare, and vibration. During Project construction activities, construction vehicles traveling to and from construction sites will generate fugitive dust and noise along access roads such as Sierra Way. Water trucks will be used to spray access roads and construction entrances and exits to reduce the amount of fugitive dust generated. Additionally, structure work areas and temporary work areas will be reclaimed as soon as feasible to reduce the amount of fugitive dust generated. Vapors, exhaust smoke, and noise from construction equipment and vehicles will be present in the areas immediately surrounding the construction sites. NV Energy and its construction contractor(s) will ensure that construction vehicles are kept in good working condition with appropriate devices installed to limit the amount of noise generated. The transmission line's conductors will feature a non-specular finish to reduce the potential for glare and the transmission towers will have a galvanized steel finish for the same purpose. The use of lattice structures will also minimize the visual impact on adjacent developments. The use of augers and vibration caissons may be used to place the transmission structures' foundations into the ground. The locations where these vibrations may be felt will vary based on active construction areas.

During the Project's operation, the Project's transmission line may produce audible noise from corona. Corona is the electrical ionization of the air that occurs near the surface of the energized conductor due to very high electric field strength. The amount of corona produced by a transmission line is a function of the voltage of the line, the diameter of the conductors, the locations of the conductors in relation to each other, the elevation of the line above sea level, the condition of the conductors and hardware, and local weather conditions. Irregularities such as nicks and scrapes on the conductor surface or sharp edges on suspension hardware concentrate the electric field at these locations and increase the electric field gradient and the resulting corona at these spots. Raindrops, snow, fog, and condensation accumulated on the conductor surface are also sources of surface irregularities that can increase corona. Audible noise levels associated with the Project's transmission line are anticipated to be barely audible at the edge of the transmission line's ROW during dry weather periods but may increase during wet weather to a low humming sound roughly comparable to the sound of a refrigerator. No other nuisances associated with the Project are anticipated during Project operation.

During the Project's routine maintenance or emergency repair activities, maintenance vehicles traveling to and from particular structures and Walker River Substation will likely generate a negligible amount of traffic, fugitive dust, and noise relative to existing conditions.

The proposed use will not introduce adverse effects to adjacent development and neighborhoods. Thus, the proposed use satisfies this criterion.

Staff Comment

The proposed project will not impact existing neighborhoods with noise, traffic, or visual nuisance, as there are no developed residential neighborhoods adjacent to the proposed facilities and the proposed transmission line would be primarily located within an existing BLM transmission line corridor. The Applicant shall enter into a road maintenance and traffic management agreement with the County for the maintenance and dust control of rights-of-way in front of the subject parcels and to ensure satisfactory traffic flow during the construction period of the project, as a Condition of Approval. 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

In Lyon County, Project-related vehicular traffic will occur on public roads as a result of construction, operation, and maintenance activities. Estimated construction traffic will be approximately 20 to 30 vehicles per day, at the peak of Project construction activities. Minimal impacts to existing traffic volumes on County roads are anticipated. NV Energy will work with the Lyon County Roads Division, landowners, and the Nevada Department of Transportation (NDOT) to determine appropriate access points to construction areas. All mobile construction equipment will be certified to operate on Interstate highways.

During Project construction activities, construction vehicles and passenger crew vehicles will not reduce the Level of Service (LOS) along County roads below LOS D. LOS is a qualitative measure used to relate the quality of motor vehicle traffic service. LOS is used to analyze roadways and intersections by categorizing traffic flow and assigning quality levels of traffic based on performance measures including vehicle speed, roadway design and capacity, and traffic congestion. LOS are categorized A through F, with LOS A representing free-flow traffic conditions and LOS F representing a breakdown in the traffic system where frequent slowing or stopping is required. LOS D represents high traffic density, but stable traffic flow conditions. LOS D is the target LOS for County roads and intersections in Lyon County (Lyon County 2020b).

During the Project's normal operation, no impacts to existing traffic volumes on County roads are anticipated.

During the Project's routine maintenance or emergency repair activities, maintenance vehicles traveling to and from particular structures and Walker River Substation will likely generate a negligible amount of traffic.

In these ways, the Project's construction, operation, and maintenance activities are not expected to generate traffic volumes that the local road network's existing, planned or conditioned roadway infrastructure cannot accommodate. Thus, the proposed use satisfies this criterion.

Staff Comment

As stated in response to Finding B, the applicant would be required to enter into a road maintenance and traffic management agreement with the County to ensure that traffic flow during construction can be accommodated and would not damage the roadway 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

During the Project's construction, operation, and maintenance activities, NV Energy will require surface access to all Project structures and work areas in Lyon County. Existing public roads and highways will provide primary access for personnel, materials, and equipment to Project access roads that will provide access to Project work areas. All vehicle movement outside of the Project's ROW will be restricted to pre-designated access, contractor-acquired access, public roads, or overland travel approved in advance by the applicable land management agency, unless authorized by the Project's Compliance Inspection Contractor.

As described above in Section 2.1.5, NV Energy will utilize a combination of access roads for the Project. Where necessary, NV Energy will improve existing roads to meet NV Energy's road design standards and, where applicable, Lyon County Roads Division standards. NV Energy will build new access roads only as necessary to access structure sites lacking direct access from existing roads, and new roads will be sited to minimize adverse impacts, to the extent practicable, on existing land uses. NV Energy's Traffic and Transportation Management Plan contains detailed road design information and measures that will be implemented to minimize adverse impacts from construction of new access roads. This plan will be provided as part of the Project's POD.

Prior to beginning construction, NV Energy's construction contractor(s) will coordinate with the Lyon County Roads Division to obtain applicable required permits for County road ROW access, utilities installation, and oversized/overweight vehicle movement. Additionally, before using County roads, the construction contractor(s) will document pre-construction road conditions and will return existing roads to pre-construction conditions, to the extent practicable.

In locations where the Project's transmission line and distribution lines include aerial crossings of County roads with the lines' conductors, NV Energy will implement a traffic control plan to ensure the safety of the traveling public during construction activities at these locations. During wire-stringing activities across County roads, lane closures and/or detours might be necessary. These temporary modifications to the existing transportation network may cause minor delays for local traffic. Minor delays may also occur as construction vehicles travel to and from construction work areas. However, when construction is complete, traffic patterns and volumes will be expected to return to pre-construction conditions. No ongoing impacts to the County's local road network are anticipated during the Project's general operation. During the Project's routine maintenance or emergency repair activities, maintenance vehicles traveling to and from particular structures and Walker River Substation will likely generate a negligible amount of traffic.

In these ways, NV Energy will help avoid and/or minimize disruptions to existing traffic volumes and the local road network in Lyon County and thereby mitigate the Project's impacts. Thus, the proposed use satisfies this criterion.

Staff Comment

As stated in response to Findings B and C, the applicant would be required to enter into a road maintenance and traffic management agreement with the County. As a part of that process, the applicant and the County can determine whether any roadway improvements are necessary to accommodate the proposed project. 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

Please refer to the response for (B) above for detailed measures that NV Energy will implement to mitigate nuisances, including visual impacts and noise, associated with the Project's construction, operation, and maintenance activities. The BLM's Plan of Development (POD) will provide more information on the specific mitigation measures that NV Energy will implement. NV Energy will provide the POD to Lyon County prior to commencing construction activities in the County. In implementing mitigation measures and best management practices, NV Energy will satisfy this criterion.

Staff Comment

As discussed in relation to Finding B, the proposed location and the lack of an existing residential neighborhood nearby will ensure that the project would not have visual or noise impacts on adjacent neighborhoods, by design. The project has been located such that it would not generate visual impacts or adverse noise effects on adjacent properties. 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

The proposed conditional use complies with the additional standards included in the Code and in Title 15 – Land Use and Development Code. More specifically, NV Energy's compliance with the specific performance standards for power transmission lines and power substations is discussed below in the "Lyon County Performance Standards" subsection. The Project also complies with the 2020 Master Plan's Public Facilities and Services element. The Project complies with the policies adopted to achieve Goal FS 5 – Utility Corridors, notably Policies FS 5.1, 5.3, and 5.4 as mentioned above in the response to (A).

Concerning adequate public facilities, including schools, libraries, and community centers; government offices; police, fire, and rescue facilities; hospitals; and airports, the Project will not unduly or unreasonably impact these facilities during short-term construction activities, nor will it require these facilities during long-term operation and maintenance activities.

Additionally, the Project will not require long-term municipal utilities such as water, wastewater, and solid waste management. During Project construction activities, water that is required to produce concrete for transmission structure foundations and for use to control dust along access roads and at construction work areas will be acquired from existing municipal or commercial sources, or other entities holding valid water rights. No new water rights are anticipated to be required for the Project. Wastewater and solid waste will be managed per local, state, and federal regulations. These wastes will be managed on-site at construction offices/trailers and at construction work areas and will be disposed of at licensed facilities approved to accept such wastes.

The proposed use complies with all applicable standards of Title 15 including those specific to Power Transmission Lines (15.336.10) and Power Substations (15.336.11). Thus, the proposed use satisfies this criterion.

Performance Standards

Title 15, Chapter 336 of the Lyon County Code presents performance-based standards for conditional uses, including those that are specifically applicable to power transmission lines (15.336.10) and power substations (15.336.11). These standards are applicable to the Project's facilities. The approval criteria to meet these standards are addressed below.

Performance Standards for Power Transmission Lines

Per Section 15.336.10, the specific performance standards for power transmission lines include three criteria that applicants must satisfy for approval of a CUP. NV Energy has provided a response to each of these criteria below.

1. *Corridors must not conflict with any existing or planned infrastructure or utility projects.*

   Applicant's Response

   The Project's proposed 525-kV transmission line route is primarily situated in a BLM designated utility corridor to avoid conflicts with other existing or planned infrastructure or utility projects on private land in Lyon County. This route crosses 0.3 mile of private land in Lyon County and 17.0 miles of BLM-administered, state, and tribal land.

   In utilizing the BLM's designated utility corridor for the majority of the transmission line route in Lyon County and situating the route away from developed communities, the Project's proposed facilities are not expected to conflict with existing or planned infrastructure or utility projects. Thus, the proposed use satisfies this criterion. NV Energy will continue to coordinate Project details with Lyon County officials to avoid and/or minimize the Project's impact on private land in the County.

2. *Proximity of the proposed corridor to any school, hospital, or urban residential area with a dwelling density greater than two (2) units per acre must be taken into consideration and setbacks conforming to the requirements of the National Electric Safety Code (NESC) established by easement.*

   Applicant's Response

   For the Project facilities that are the subject of this Application, on private land in Lyon County, the Agency Preferred Alternative does not cross developed communities where schools, hospitals, or urban residential areas that have dwelling densities greater than two units per acre are situated. The 0.3 mile of private land being crossed is designated for industrial uses and includes industrial uses. No Project-related land use impacts to schools, hospitals, or urban residential areas are anticipated. Additionally, the proposed 525-kV transmission line's ROW will be 200 feet wide and will meet or exceed NESC requirements for setbacks from adjacent land uses. Thus, the proposed use satisfies this criterion.

3. *The proposed aboveground utility corridor is in conformance with the goals and policies of the public utilities/services component of the Lyon County comprehensive master plan.*

   Applicant's Response

   As noted above in the responses to (A) and (1), the Project is in compliance with Goal FS 5 – Utility Corridors and particularly Policies FS 5.1, 5.3, and 5.4 as presented in the County's 2020 Master Plan.

Performance Standards for Power Substations

Section 15.336.11 specifies that a CUP is required for a power substation project that is located on private land in order to review, identify, and develop mitigation measures that reduce the potential negative impacts to abutting properties. The proposed Walker River Substation will be situated on undeveloped private land approximately 1,600 feet west of NV Energy's existing Fort Churchill 115-kV Substation on the north side of Sierra Way. Undeveloped land borders the proposed Walker River Substation's footprint to the north and west. No impacts to these abutting properties are anticipated. Agricultural land, a limited number of single-family residences, and a solar energy facility are situated on the south side of Sierra Way just south of the proposed site for Walker River Substation. NV Energy will implement mitigation measures and best management practices to avoid and/or minimize the Project's impacts, including construction-related traffic, noise, odors, and fugitive dust that nearby residents might experience during the substation's and transmission line's construction periods. More information concerning mitigation measures and best management practices will be provided in the BLM's Plan of Development (POD) for the Project. NV Energy will provide the POD to Lyon County officials prior to commencing construction activities.

Staff Comment

As conditioned, the use is consistent with the zoning standards of Title 15 and has been reviewed by outside agencies. As described in detail above by the applicant, the proposed project does comply with the required performance standards for power transmission lines and power substations, per Lyon County Code. The proposed project conforms to Master Plan goals and policies related to utility corridors, as discussed in relation to Finding A. 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

Once in service, the Project will strengthen the regional electric transmission system in western Nevada, thereby improving electric service reliability. This enhanced reliability and resilience of the electrical grid will allow the system to withstand changing conditions including population growth and will ensure that critical facilities including hospitals, community centers, and police, fire, and rescue facilities have adequate electric service to operate and respond to emergencies. In this way, the Project will not be materially detrimental to the public's health, safety,

and welfare. Instead, by minimizing electric service disruptions and improving reliability, the Project will help protect the health, safety, and welfare of Lyon County's current and future residents.

During Project construction activities, the mitigation measures and best management practices that NV Energy will implement will not cause material damages or unmitigated impacts to other properties near or adjacent to the Project. In this way, the proposed use satisfies this criterion.

Staff Comment

As discussed in relation to Finding A, above, the construction, operation, and maintenance of the proposed 525-kV transmission line and Walker River Substation shall meet or exceed National Electrical Safety Code (NESC) requirements, as a Condition of Approval. Adherence to NESC and Building Code requirements will ensure that the proposed conditional use will not be materially detrimental to the public health, safety, and welfare. This Finding is met.

Alternatives to Approval

Alternative for Continuance

If the Board of County Commissioners determine that there is insufficient information with which to make a decision on the Conditional Use Permit 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 of County Commissioners should make the appropriate findings and move to continue the Public Hearing for the Conditional Use Permit application to a future date with concurrence from the applicant.

If so, then the Board 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 application.

Based on the aforementioned finding, and with the applicant's concurrence, the Board of County Commissioners continues the Conditional Use Permit request from Adam Godorov of NV Energy to allow the construction, operation, and maintenance of a Power Substation and Power Transmission Line, 60kV or greater on a 343.1-acre portion of three parcels totaling 2,519.4 acres, located approximately 2,600 feet to the east of the intersection of US Route 95 and Sierra Way, in the HI-R (Heavy Industrial - Rural) and LI-R (Light Industrial - Rural) zoning districts in Mason Valley (APNs 014-091-09, -10, and -11); PLZ-2023-052 for ___ days.

Alternative Motion for Denial

If after review and public comment the Board of County Commissioners determines that they should deny the Conditional use Permit application, then the Board of County Commissioners may wish to consider a motion similar to the following:

The Lyon County Board of County Commissioners has considered:

15.230.06: FINDINGS:

When considering applications for a conditional use permit, the commission or Board, where applicable, must evaluate the impact of the conditional use on and its compatibility with surrounding properties and neighborhoods to mitigate potential impacts of the use at a particular location and make the following findings:

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.

After consideration of the above-listed Findings, the Lyon County Board of County Commissioners has determined that the Conditional Use Permit would <u>not</u> be in conformance with the above-listed considerations and <u>denies</u> the Conditional Use Permit request from Adam Godorov of NV Energy to allow the construction, operation, and maintenance of a Power Substation and Power Transmission Line, 60kV or greater on a 343.1-acre portion of three parcels totaling 2,519.4 acres, located approximately 2,600 feet to the east of the intersection of US Route 95 and Sierra Way, in the HI-R (Heavy Industrial - Rural) and LI-R (Light Industrial - Rural) zoning districts in Mason Valley (APNs 014-091-09, -10, and -11); PLZ-2023-052.

EXECUTIVE SUMMARY

Introduction

Sierra Pacific Power Company and Nevada Power Company, both doing business as NV Energy (NV Energy) seek a Conditional Use Permit (CUP) from the Lyon County Board of County Commissioners (BOCC), as is required by the *Lyon County Code* (Code) to construct, operate, and maintain NV Energy's Greenlink West Transmission Project (Project) in unincorporated Lyon County, Nevada (Lyon County or County). Per the Code's Title 15 – Land Use and Development Code, Chapter 320 – Land Use Tables, Section 15.320.03, the Project's proposed electric power transmission system, power substations, and associated facilities are land uses that the County does not allow by right. Instead, these land uses are subject to BOCC review and approval as a conditional use because the Project's impacts on surrounding properties and associated mitigation measures need to be evaluated prior to BOCC approval. Thus, NV Energy is required to apply for a CUP and demonstrate how the Project will satisfy the criteria for approval of the CUP as outlined in the Code. Per Title 15, Chapter 13 – Expiration of Approval of Development Permit, the CUP is valid for 2 years if no time limit is established during the BOCC's public hearing on the Project. NV Energy requests that the BOCC set the expiration date as 2 years from the date of the CUP approval.

Project Overview

NV Energy proposes to construct, operate, and maintain a proposed system of new 120-kilovolt (kV), 230-kV, 345-kV, and 525-kV electric facilities between Las Vegas and Reno, Nevada. Project facilities will include 345-kV and 525-kV transmission lines, substations, distribution lines, microwave radio and optical amplifier facilities for system communications, access roads, pulling and tensioning sites (pull sites) for wire-stringing activities during construction, and material yards and helicopter fly yards for material delivery and storage.

Project Purpose and Need

Construction of the Project is required to achieve the State of Nevada Renewable Portfolio Standard for renewable energy, achieve State of Nevada Greenhouse Gas Emission Standards, facilitate access to federal-designated renewable energy zones, facilitate access to solar energy developments, increase northern Nevada transmission import capacity required to meet native electric demand and Federal Energy Regulatory Commission requests for service, improve Nevada's overall system reliability by providing a second critical statewide transmission connection, and comply with Nevada Senate Bill 448, which requires NV Energy to amend its resource plan to include a plan for certain high-voltage transmission infrastructure construction projects to be placed into service no later than December 31, 2028.

Scope of CUP Application

In submitting this CUP Application (Application), NV Energy is seeking BOCC approval for the following Project facilities to be situated on private land in unincorporated Lyon County:

- **500/345/230/120-kV Walker River Substation.** Construction is scheduled to start in February 2024.
- **525-kV Esmeralda-Walker River Transmission Line.** Construction is scheduled to start in October 2025.

It is important to note that Lyon County requires title reports documenting ownership for privately-owned parcels that are included in development applications for CUP approval. This requirement shapes the scope of this Application. NV Energy has obtained the title report for the privately-owned parcels on which it will construct the proposed Walker River Substation but does not yet own the parcels. NV Energy is the landowner for the parcels required for the Project's 525-kV transmission line in unincorporated Lyon County.

These facilities, and the associated distribution lines, system communications, access roads, pull sites, and material yard on private land in Lyon County, are the subject of this Application.

The overall Project in Lyon County also includes three additional proposed transmission lines:

- 345-kV Walker River-Comstock Meadows #1 Line. Construction is scheduled to start in December 2025.
- 345-kV Walker River-Comstock Meadows #2 Line. Construction is scheduled to start in December 2025.
- 345-kV Walker River-Mira Loma Line. Construction is scheduled to start in August 2025.

These three transmission lines are not the subject of this Application. NV Energy has not yet obtained all required title reports on the privately-owned parcels that these three lines and associated Project facilities cross. When title reports have been obtained for these parcels, NV Energy will submit a subsequent CUP application to request BOCC approval for these transmission lines and associated Project facilities on private land in Lyon County.

Compliance with Lyon County Requirements

As demonstrated in this CUP Application, NV Energy meets the approval criteria/findings that Lyon County's Planning Commission and BOCC must weigh to provide a recommendation and decision, respectively, on this CUP Application. More specifically, NV Energy's proposed use:

- Complies with the policies in the *Lyon County 2020 Master Plan* concerning utility corridors and minimizing conflicts with communities.
- Mitigates adverse impacts from nuisances, including traffic, odors, dust, and noise to be compatible with adjacent development.
- Will not generate traffic that cannot be accommodated by the existing, planned or conditioned roadway infrastructure.
- Incorporates traffic control plans to mitigate impacts during Project construction activities.
- Incorporates measures to reduce impacts on adjacent properties.
- Complies with policies for adequate public facilities.
- Complies with performance standards for power transmission lines and power substations.

In addition to these Lyon County requirements, NV Energy will also comply with applicable state and federal rules and regulations during the Project's construction, operation, and maintenance activities.

Conclusion

In meeting the approval criteria/findings, NV Energy requests that the Lyon County Planning Commission recommend approval of this CUP Application to the BOCC. NV Energy further requests that the BOCC approve this CUP Application for the proposed use and the Project facilities described in **Section 2.0 – Project Description**.

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1.0 INTRODUCTION

Sierra Pacific Power Company and Nevada Power Company, both doing business as NV Energy (NV Energy) seek a Conditional Use Permit (CUP) from the Lyon County Board of County Commissioners (BOCC), as is required by the *Lyon County Code* (Code) to construct, operate, and maintain NV Energy's Greenlink West Transmission Project (Project) in unincorporated Lyon County, Nevada (Lyon County or County). Per the Code's Title 15 – Land Use and Development Code, Chapter 320 – Land Use Tables, Section 15.320.03, the Project's proposed electric power transmission system, power substations, and associated facilities are land uses that the County does not allow by right. Instead, these land uses are subject to BOCC review and approval as a conditional use because the Project's impacts on surrounding properties and associated mitigation measures need to be evaluated prior to BOCC approval. Thus, NV Energy is required to apply for a CUP and demonstrate how the Project will satisfy the criteria for approval of the CUP as outlined in the Code. Per Title 15, Chapter 13 – Expiration of Approval of Development Permit, the CUP is valid for 2 years if no time limit is established during the BOCC's public hearing on the Project. NV Energy requests that the BOCC set the expiration date as 2 years from the date of the CUP approval.

As demonstrated by this CUP Application (Application), the proposed Project complies with all applicable regulatory requirements in the Code. The proposed Project is compatible with adjacent land uses and is consistent with the *Lyon County 2020 Master Plan* as it minimizes conflicts with commercial and residential developments and preserves the largely undeveloped, rural character of the land in Lyon County. For these reasons, NV Energy requests that the Lyon County Planning Commission recommend approval of this Application to the BOCC. NV Energy requests that the BOCC approve this Application and grant to NV Energy a CUP to construct, operate, and maintain the Project. As discussed in this Application, NV Energy is in the process of updating the Project's engineering design and completing private right-of-way (ROW) acquisition for the Project's facilities described in **Section 2.0 – Project Description**.

In this Application, NV Energy is providing Lyon County with the most current information available for the Project. The Project includes development on federal land that the Bureau of Land Management (BLM) administers. The BLM is the lead federal agency for the Project and is preparing an Environmental Impact Statement (EIS) per requirements of the National Environmental Policy Act of 1969 (NEPA). On May 26, 2023, the BLM issued the Draft EIS for the Project and began a 90-day public comment period, during which cooperating agencies and organizations, as well as members of the public, are invited to provide comments on the Draft EIS. After addressing the comments, the BLM will issue the Final EIS and Record of Decision (ROD) for the Project.

Since the BLM is actively working through the NEPA process, not all Project engineering design details are currently available for County review. However, prior to commencing Project construction activities, NV Energy will provide the BLM's Plan of Development (POD) to Lyon County. The POD will include final engineering design details as well as mitigation measures and best management practices that NV Energy will implement to avoid and/or minimize impacts to land uses and environmental resources. In Lyon County, Project construction activities are anticipated to begin in February 2024.

1.1 Project Overview

NV Energy proposes to construct, operate, and maintain a proposed system of new 120-kilovolt (kV), 230-kV, 345-kV, and 525-kV electric facilities between Las Vegas and Reno, Nevada. Project facilities will include 345-kV and 525-kV transmission lines, substations, distribution lines, microwave radio and optical amplifier facilities for system communications, access roads, pulling and tensioning sites (pull

sites) for wire-stringing activities during construction, and material yards and helicopter fly yards for material delivery and storage.

Figure 1 shows the full extent of the Project between Las Vegas and Reno. For clarity, the term "Agency Preferred Alternative" noted on maps in this Application refers to the BLM's preferred transmission line route and not NV Energy's Proposed Action, which is also being evaluated in the EIS. Pending the BLM's issuance of the Final EIS and ROD, its Agency Preferred Alternative will be the transmission line route and associated facilities that it will grant NV Energy a ROW to construct on BLM-administered and other federal agency lands.

1.2 Project Purpose and Need

Construction of the Project is required to achieve the State of Nevada Renewable Portfolio Standard for renewable energy, achieve State of Nevada Greenhouse Gas Emission Standards, facilitate access to State of Nevada designated renewable energy zones, facilitate access to solar energy developments, increase northern Nevada transmission import capacity required to meet native electric demand and Federal Energy Regulatory Commission requests for service, improve Nevada's overall system reliability by providing a second critical statewide transmission connection, and comply with Nevada Senate Bill 448, which requires NV Energy to amend its resource plan to include a plan for certain high-voltage transmission infrastructure construction projects to be placed into service no later than December 31, 2028.

1.3 Scope of CUP Application

In submitting this Application, NV Energy is seeking BOCC approval for the following Project facilities to be situated on private land in unincorporated Lyon County:

- **500/345/230/120-kV Walker River Substation.** Construction is scheduled to start in February 2024.
- **525-kV Esmeralda-Walker River Transmission Line.** Construction is scheduled to start in October 2025.

It is important to note that Lyon County requires title reports documenting ownership for privately-owned parcels that are included in development applications for CUP approval. This requirement shapes the scope of this Application. NV Energy has obtained the title report for the privately-owned parcels on which it will construct the proposed Walker River Substation but does not yet own the parcels. NV Energy is the landowner for the parcels required for the Project's 525-kV transmission line in unincorporated Lyon County.

These facilities, and the associated distribution lines, system communications, access roads, pull sites, and material yard on private land in Lyon County, are the subject of this Application.

The overall Project in Lyon County also includes three additional proposed transmission lines:

- 345-kV Walker River-Comstock Meadows #1 Line. Construction is scheduled to start in December 2025.
- 345-kV Walker River-Comstock Meadows #2 Line. Construction is scheduled to start in December 2025.

- 345-kV Walker River-Mira Loma Line. Construction is scheduled to start in August 2025.

These three transmission lines are not the subject of this Application. NV Energy has not yet obtained all required title reports on the privately-owned parcels that these three lines and associated Project facilities cross. When title reports have been obtained for these parcels, NV Energy will submit a subsequent CUP application to request BOCC approval for these transmission lines and associated Project facilities on private land in Lyon County.

1.4 Land Jurisdiction

The Agency Preferred Alternative includes the 345-kV and 525-kV transmission line alignments and associated infrastructure. The 345-kV alignments begin at the proposed Walker River Substation in Lyon County with two lines extending to Comstock Meadows Substation in Storey County and the third line extending to Mira Loma Substation in Washoe County. The 525-kV alignments include one line extending between the existing Harry Allen and Northwest substations in the Las Vegas area, and additional lines extending between Northwest Substation in Clark County and the proposed Walker River Substation in Lyon County. These additional lines include the 525-kV Esmeralda-Walker River Transmission Line.

Table 2 presents a breakdown of the land jurisdictions that each of the Agency Preferred Alternative's 345-kV and 525-kV transmission lines cross Project-wide.

TABLE 2 PROJECT TRANSMISSION LINES – LAND JURISDICTIONS CROSSED

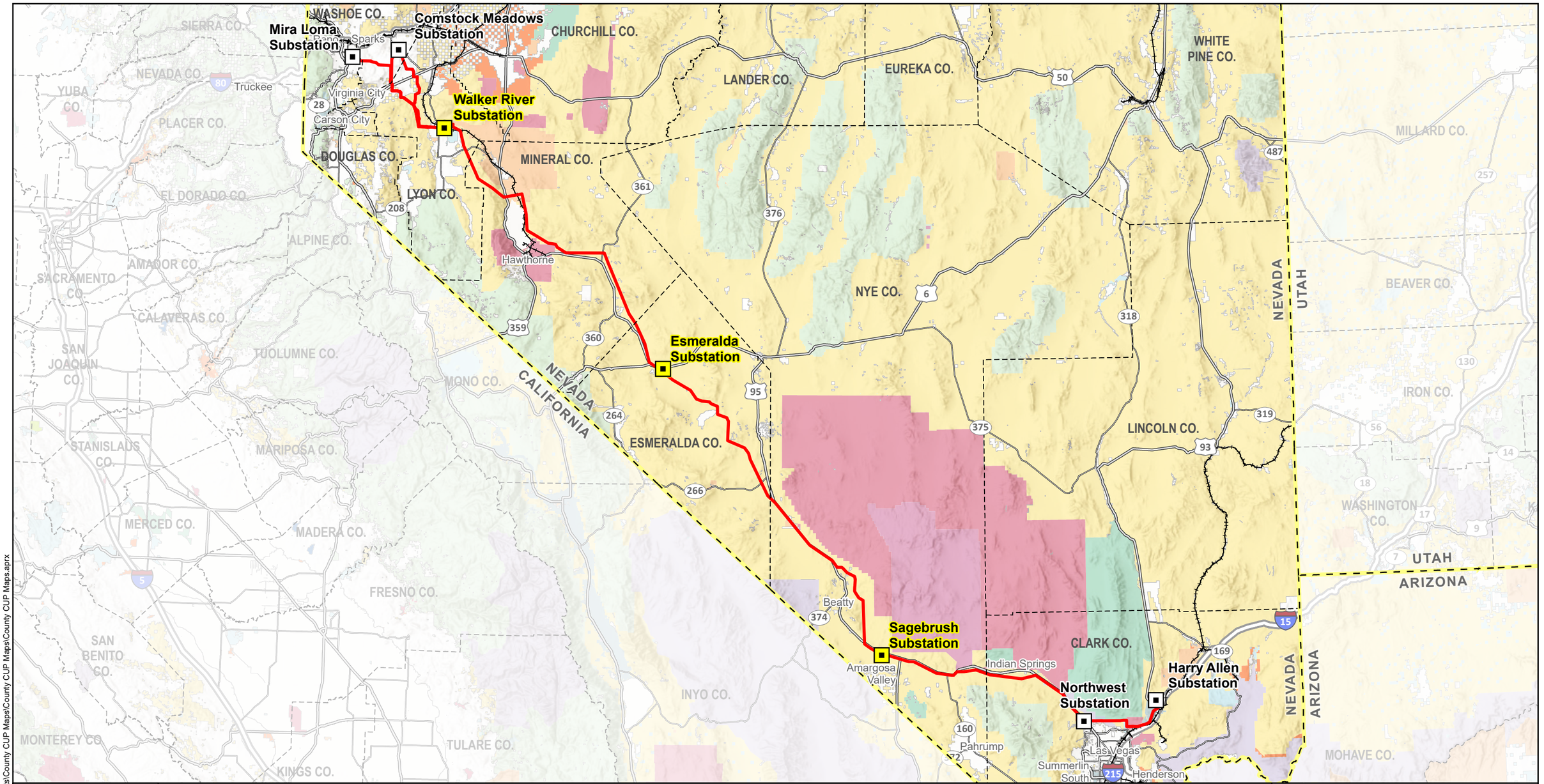
PROJECT TRANSMISSION LINE	LAND JURISDICTION, IN MILES CROSSED				
	FEDERAL	STATE	TRIBAL	LOCAL	PRIVATE
525-kV Transmission Lines	330.2	5.1	21.5	2.6	2.6
345-kV Transmission Lines	63.0	0.0	0.0	0.0	62.0
TOTAL MILES	**393.2**	**5.1**	**21.5**	**2.6**	**64.6**

The Project's transmission lines extend for approximately 487 miles, of which approximately 393 miles or 81% are situated on federal land. Of the 393 miles, approximately 389 miles or 99% are situated on BLM-administered land. Private land accounts for approximately 13% with tribal and state lands accounting for approximately 4% and 1%, respectively. Approximately three miles of Clark County-owned land account for the remainder of the 525-kV transmission line route.

In unincorporated Lyon County, the mileages for the proposed transmission lines are presented below:

- 525-kV Esmeralda-Walker River Transmission Line: 0.3 mile.
- 345-kV Walker River-Comstock Meadows #1 Line: 7.8 miles.
- 345-kV Walker River-Comstock Meadows #2 Line: 13.1 miles.
- 345-kV Walker River-Mira Loma Line: 7.7 miles.

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0 10 20
Miles

Scale 1:2,000,000

Date: 6/28/2023

Project Features

- Existing Substation
- Proposed Substation
- Agency Preferred Alternative – GLW Transmission Line Route

Land Jurisdiction

- Bureau of Land Management
- U.S. Forest Service
- National Park Service
- Bureau of Reclamation
- U.S. Fish and Wildlife Service
- U.S. Army Corps of Engineers
- U.S. Department of Defense
- U.S. Department of Energy
- Tribal Land
- Other Federal Land
- State Land
- Local Land
- Private or Unknown

Reference Features

- State Line
- County Line
- Interstate Highway
- US Highway
- State Route
- Railroad



Greenlink West Transmission Project

FIGURE 1
Project Area Map

NVEnergy

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2.0 PROJECT DESCRIPTION

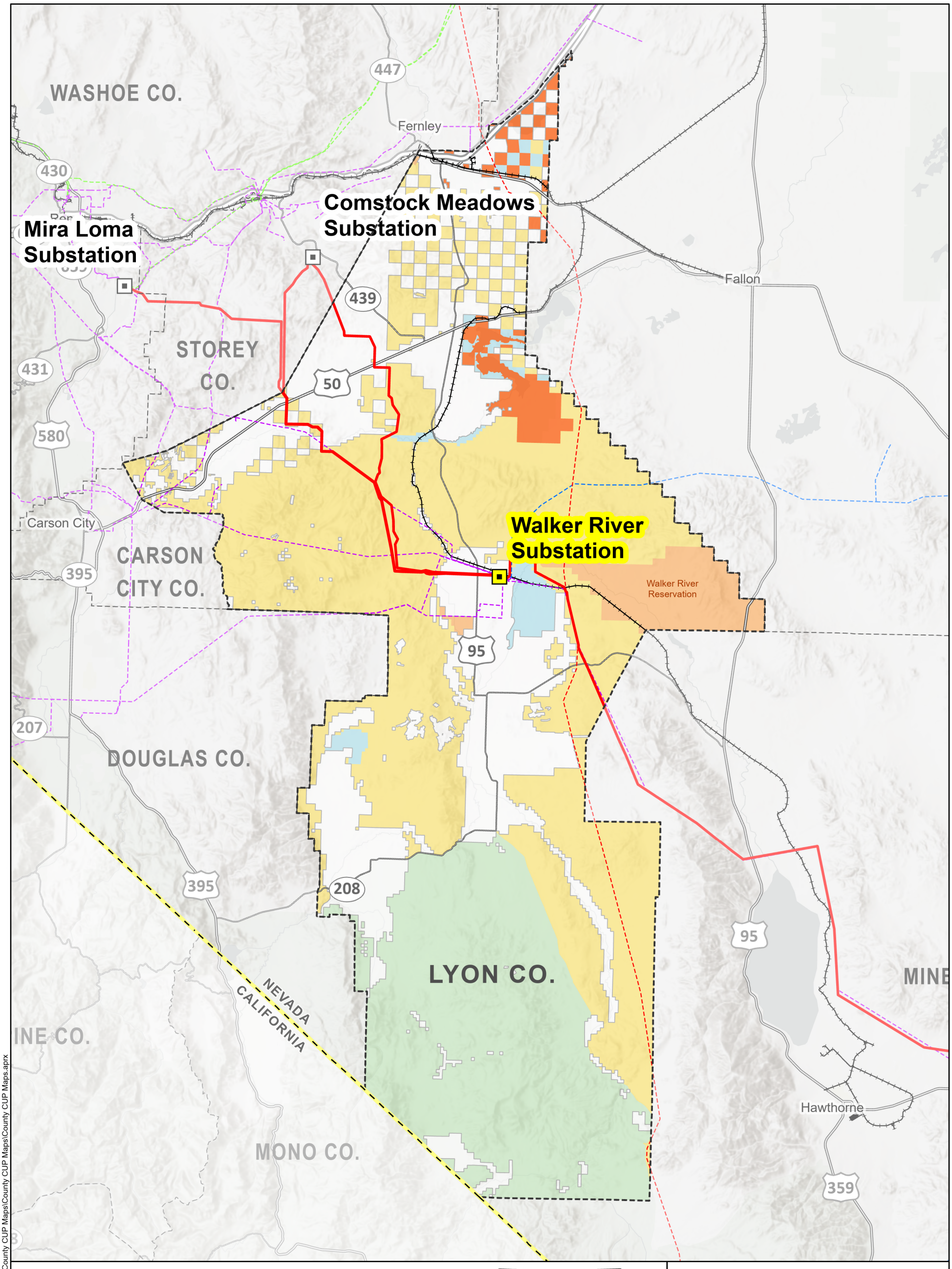
This section describes the temporary and permanent Project facilities that NV Energy proposes on private land in Lyon County. Temporary facilities will be required for the Project's short-term construction activities. Permanent facilities will be required for the Project's long-term operation and maintenance activities. NV Energy proposes to construct, operate, and maintain a new aboveground electric transmission system including the following facilities:

- One 525-kV transmission line:
  - 525-kV Esmeralda-Walker River Transmission Line
- Electric distribution lines connecting the proposed substations and microwave radio and optical amplifier facilities.
- Guard structure work areas.
- Pull sites for temporary construction activities for the 525-kV transmission line.
- A network of 120-kV, 230-kV, 345-kV, and 500-kV connections at the proposed Walker River Substation.
- A microwave radio site at the existing Fort Churchill Substation.
- Optical amplifier sites.
- Access roads for temporary construction activities and permanent operation and maintenance activities.
- Material Yard.
- Helicopter Yard.
- Plant Nurseries.

Each of these types of facilities is described below.

Figure 2 shows the Agency Preferred Alternative's route in Lyon County. **Appendix A – Project Detail Maps** shows the route in more detail. **Appendix A** does not show individual transmission and distribution line structures, guard structures, pull sites, access roads, material yard, helicopter yard, and plant nurseries as these facilities' locations have not been finalized. Prior to Project construction activities, NV Energy will provide the County with engineering design details and locations for these facilities as part of the BLM-approved POD and Construction, Operation, and Maintenance (COM) Plan. The Site Plan for Walker River Substation has not yet been finalized. Prior to Project construction activities, NV Energy will provide the Site Plan to Lyon County.

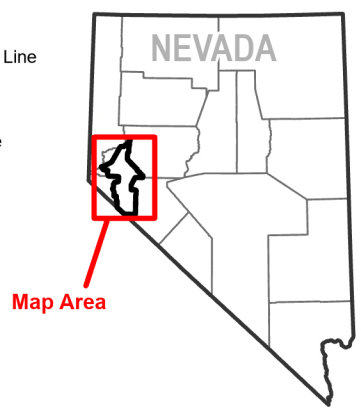
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Project Features
- Existing Substation
- Proposed Substation
- Agency Preferred Alternative – GLW Transmission Line Route

Land Jurisdiction
- Bureau of Land Management
- Bureau of Reclamation
- State Land
- Tribal Land
- U.S. Forest Service
- Private or Unknown

Reference Features
- 120 - 138 kV Transmission Line
- 230 kV Transmission Line
- 345 kV Transmission Line
- 500 kV+ Transmission Line
- State Line
- County Line
- Interstate Highway
- US Highway
- State Route
- Railroad



Date: 7/12/2023

Greenlink West Transmission Project

FIGURE 2
Agency Preferred Alternative - Lyon County, NV

0 5 10
Miles

NVEnergy

Path: G:\Projects\169993_NVE_Greenlink_OE\Apps\Reports\County CUP Maps\County CUP Maps\County CUP Maps.aprx

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2.1 Temporary Project Facilities/Components on Private Land

2.1.1 Transmission Structure Work Areas

In order to accommodate construction equipment and activities, temporary work areas will be needed for each structure and will be sized based on the type of structure, which includes tangent, angle, and dead-end structures. Tangent structures generally follow a straight line. Angle and dead-end structures are situated in locations where the line's angle turns. The base diameters of these structures are larger than tangent structures because they have to support the tension of the transmission line pulling in different directions. For the proposed 525-kV transmission line, work areas for each tangent structure will measure 200 feet by 250 feet, approximately 1.1 acres, and work areas for each angle/dead-end structure will measure 200 feet by 400 feet, approximately 1.8 acres.

In addition to the structure work areas, NV Energy will require a 600-foot-wide construction corridor (1,200 feet wide in areas with steep terrain) for the proposed 525-kV transmission line. For the Project, NV Energy defines steep terrain to include locations with a slope greater than 15%.

Appendix C, Figure C1 shows the typical ROW configuration and structure work areas for the 525-kV transmission line.

2.1.2 Distribution Structure Work Areas

The proposed Walker River Substation and telecommunications facilities will require electric distribution service. Temporary work areas will be needed to accommodate construction equipment and activities in locations where new or rebuilt distribution line facilities are needed. Work areas for each distribution pole will measure 100 feet by 100 feet, approximately 0.2 acre.

New and rebuilt distribution lines will require a 100-foot-wide construction corridor.

Appendix C, **Figure C2** shows the typical ROW configuration and structure work areas for the distribution lines.

2.1.3 Guard Structure Work Areas

Temporary guard structures will be erected at road, railroad, and electric line crossings to protect these features during wire-pulling construction activities in the event that the wire falls. For the proposed 525-kV transmission line, guard structure work areas will measure 200 feet by 100 feet, approximately 0.5 acre, centered over the road/railroad/electric line crossing. Work areas are sized to accommodate two guard structures, one on either side of the feature being crossed.

Appendix C, Figures C3 and C4 show typical guard structures that may be installed for the Project.

At crossings of roads with low traffic volumes, the construction contractor may elect to use flaggers in lieu of guard structures.

2.1.4 Pull Sites

Pull sites will be necessary for installation of the conductor, shield wire, and optical ground wire (OPGW). Work areas for mid-span pull sites will measure 200 feet by 600 feet, approximately 2.8 acres, for the proposed 525-kV transmission line. Pull sites at points of intersection with angles greater than 15 degrees will require a 700-foot radial work area centered on the structure. Pull sites are generally assumed between structures based on an approximate conductor reel length of 9,000 feet and at angle structures of greater than 15 degrees. Pull sites are also assumed at highway crossings.

2.1.5 Access Roads

A combination of existing and new access roads will be needed for Project construction and operation as described below. Following construction, new and improved access roads will be maintained as permanent.

Appendix C, Figures C5 through C8 show typical access road designs on varying slopes.

Existing Access Roads

Access for Project construction will be achieved primarily via existing roads. In some cases, existing improved and unimproved dirt roads will require widening or other improvements to accommodate construction equipment. Three types of existing access roads will be used for access as described below. Access roads and proposed improvements will be presented in the Project's COM Plan after the roads have been field-verified.

- **Paved roads:** Paved roads are expected to be accessible under any conditions by all construction equipment and are not expected to require either maintenance or improvement.
- **Unpaved (dirt/gravel) roads that do not require improvements:** These roads are graded roads, some segment of which may be graveled, that are used relatively frequently and should be accessible during most weather conditions. These roads will not need improvement for construction access, but they will be maintained as required, typically with light grading, to keep the road in acceptable condition for both construction use and for other uses. Such maintenance activity will not increase the currently existing profile of the road nor increase surface disturbance.
- **Unpaved roads that may require improvements:** These include minimally improved and unimproved dirt roads and two-track roads that will need improvements to safely accommodate construction equipment.

Normal running width on the access roads requiring improvement will be approximately 25 feet. A 100-foot-wide environmental survey corridor will be established for all roads requiring improvement. Improvements that may be required on these roads include vegetation removal, curve widening, roadbed widening, surface improvement by blading and pushing rocks to either side, surfacing with select material, and installation of natural drainage crossings, water bars, and other erosion protection measures.

In addition, a 75-foot-wide turning radius will be added at roadway intersections and turnout locations as necessary to accommodate oversized equipment and vehicles. Turn radius locations have not yet been identified. These locations will be identified in the COM Plan after the roads have been field-verified.

New Access Roads

NV Energy will construct new access roads from existing access roads and/or between adjacent structure sites to access structure sites for the proposed transmission line in areas of flat terrain and low vegetation. Construction access between structure sites will utilize the maintenance roads described below. The new access roads will be graded to accommodate all equipment necessary, including tracked and rubber-tired vehicles, that will be used to construct the structure foundations, install structures, and conduct stringing activities.

In areas where vegetation removal is necessary, vegetation will be trimmed by hydro-axing, a lawnmower-type machine, to about 3.0 to 6.0 inches above grade, leaving the stems and root systems intact to allow for regrowth. In the event roads become impassible, it may become necessary to bring in fill or gravel. The new access roads will have an average width of 25 feet in most areas. Most construction work will be conducted in the 600-foot-wide construction corridor, or the 1,200-foot-wide corridor in areas with steep terrain.

A 75-foot-wide turning radius at road intersections and turnouts will also be needed for new access roads. Turn radius locations have not yet been identified. These locations will be identified in the COM Plan after the roads have been field-verified.

Maintenance Roads

In addition to access roads to the new ROW, maintenance roads will also be required for operation, maintenance, and patrol activities. As previously noted, these roads will also provide access between adjacent structure sites during construction. The maintenance roads will generally traverse the inside edge of the permanent ROW along the entire length of the transmission line. The maintenance roads will have an average width of 25 feet in most areas. Maintenance roads are discussed in more detail in the COM Plan.

Overland Travel

During construction, overland travel will be used where necessary in the temporary and permanent ROWs. Overland travel is a “drive and crush” method, where access routes are utilized without vegetation clearing or exposing underlying soils. During operation and maintenance activities, any overland travel would be limited to the permanent transmission line and distribution line ROWs. Specific overland travel routes have not yet been identified.

2.1.6 Material Yard

One material yard is proposed for use in Lyon County for material delivery and storage during construction activities. The yard will be situated on private land at the proposed Walker River Substation. The total area needed for the yard is not expected to exceed approximately 25 acres. The Site Plan for the material yard has not yet been finalized. Prior to Project construction activities at Walker River Substation, NV Energy will provide the final Site Plan to Lyon County. The general location for the material yard is shown in **Appendix A, Page 1**.

2.1.7 Helicopter Yard

Helicopter yards and refueling sites will also be needed for helicopter transport of structures, personnel, and materials. Helicopter yards between 10 and 20 acres each have been identified approximately every five miles along the transmission line. No helicopter yards, for the Project facilities subject to this Application, are proposed in Lyon County.

2.1.8 Plant Nurseries

Temporary plant nursery sites will be needed to curate salvaged plants that will later be used for restoration of the ROW. Nursery sites measuring 200 feet by 500 feet, approximately 2.3 acres, will be needed approximately every 10 miles along the transmission line. Plant nursery sites have not yet been identified.

2.2 Permanent Project Facilities/Components on Private Land

2.2.1 Transmission Line

Transmission Line Route

The proposed 525-kV transmission line begins at the proposed Walker River Substation located approximately 10 miles north of Yerington, Nevada. The 525-kV line extends generally east and southeast across approximately 0.3 mile of private land in Lyon County before reaching the Lyon County-Mineral County border. The 525-kV transmission line's ROW will be 200 feet wide.

Appendix C, Figure C1 shows the 525-kV transmission line's typical ROW configuration.

Transmission Structure Foundations

The permanent disturbance associated with the installed 525-kV transmission line structures will be a function of the structure location. In desert tortoise habitat, permanent structure pads will measure 200 feet by 200 feet, approximately 0.9 acre. Outside of desert tortoise habitat, permanent structure pads will measure 100 feet by 100 feet, approximately 0.2 acre.

Transmission Structure Details and Line Equipment

525-kV Esmeralda-Walker River Transmission Line

The 525-kV Esmeralda-Walker River Transmission Line is anticipated to include tangent, dead-end, and angle structures. Tangent 525-kV structures will consist of steel pole H-Frame (tubular), steel monopole (single pole), or steel lattice structures and range between 100 feet and 180 feet tall. Dead-end and angle structures will consist of steel monopole, steel three-pole structures, or steel lattice towers and range between 100 feet and 180 feet tall. **Appendix D, Figures D1 through D8** include typical drawings of the 525-kV transmission structures to be installed.

The 525-kV transmission line's conductors will consist of three phases per circuit, three conductors per phase. The transmission line will also include one extra high strength steel shield wire and one OPGW

fiber optic shield wire for control and operation of the transmission system. The average distance between 525-kV structures will be approximately 1,140 feet for tubular H-frame structures and approximately 1,520 feet for lattice structures. The minimum ground clearance for the 525-kV transmission line will be approximately 35 feet at 212 degrees Fahrenheit. The line will meet or exceed the requirements of the National Electrical Safety Code (NESC).

2.2.2 Distribution Lines

The proposed Walker River Substation and telecommunications facilities will require electric distribution service to power control equipment and lighting, run temperature controls, and charge emergency backup batteries. Studies are currently underway to determine if existing distribution lines can accommodate the anticipated load requirements or if new or rebuilt distribution lines will be required. The distribution line's ROW will be 50 feet wide. **Appendix C, Figure C2** shows the distribution line's typical ROW configuration. Permanent structure pads for distribution poles will typically measure 50 feet by 50 feet, less than 0.1 acre.

Distribution Structure Details and Line Equipment

Distribution lines will be energized at 12-kV or 25-kV. Structures may consist of wood or steel pole monopoles and range between 45 feet and 50 feet tall. Dead-end and angle structures may also require guy wires and anchors. **Appendix D, Figure D9** shows a typical drawing of a distribution pole to be installed.

The distribution lines will consist of three phases per circuit, one conductor per phase. The distribution line may also include fiber optic cable installed below the energized conductor for operation and control of the transmission system. The typical distance between structures will be approximately 230 feet. The minimum ground clearance for the distribution lines will be approximately 22 feet. The lines will meet or exceed NESC requirements.

The Project's distribution line facilities will be categorized as follows:

- **Existing**: Existing distribution lines that can accommodate the anticipated additional load requirements of the Project facility without modification.
- **Reconductor:** Existing distribution lines that will require installation of a new conductor to accommodate the anticipated load requirements of the Project facility, but no ground disturbance is required.
- **Rebuild**: Existing distribution line that will require installation or replacement of distribution poles to accommodate the anticipated load requirements of the Project facility.
- **New:** Installation of a new distribution line from the Project facility to an existing distribution line or substation.

2.2.3 Substations

Walker River 500/345/230/120-kV Substation

The proposed Walker River 500/345/230/120-kV Substation will be constructed approximately 1,600 feet west of the existing Fort Churchill 230/120-kV Substation and require a disturbance area of

approximately 360 acres. The proposed substation will also require the construction of two new 525-kV getaways, three new 345-kV getaways, realignment of one existing 230-kV transmission line, and seven existing 120-kV transmission getaways. All substation and transmission line realignment work will be on private land, including land owned by NV Energy.

The proposed Walker River Substation will include the following electrical equipment:

- Two 525-kV line terminals.
- Two 525/345/25-kV, 600-megavolt ampere (MVA), 3-phase transformers.
- Seven 525-kV, 63-kiloampere (kA), single-pole breakers.
- Four 525-kV, 75-megavolt ampere (reactive) (MVAR), 3-phase shunt reactors.
- Two 525-kV, 455-MVAR, 3-phase series capacitors.
- Twenty 525-kV coupling capacitor voltage transformers (CCVTs).
- Three 345-kV line terminals.
- Two 345/230/25-kV, 300-MVA, 3-phase transformers.
- Two 345/120/25-kV, 280-MVA, 3-phase transformers.
- Sixteen 345-kV, 63-kA, single-pole breakers.
- Thirty-one 345-kV CCVTs.
- One 230-kV line terminal.
- Four 230-kV, 63-kA, 3-phase breakers.
- Nine 230-kV CCVTs.
- Seven 120-kV line terminals.
- Seventeen 120-kV, 63-kA, 3-phase breakers.
- Thirty-seven 120-kV CCVTs.
- Six 120-kV station service voltage transformers.
- Six new control enclosures to accommodate new protection panels.
- New telecommunications infrastructure including fiber optic cable and microwave antennae tower for control and operation of the transmission system.
- Switches, service transformers, and associated bus work and hardware.

2.2.4 Telecommunications

NV Energy will install OPGW as a component of the 525-kV transmission line for control and operation of the transmission system. To provide secure and reliable communications for the control system real-time requirements, protection, and day-to-day operations and maintenance needs, a mix of telecommunications systems will be used. New microwave and optical amplifier facility footprints will typically measure 200 feet by 200 feet, approximately 0.9 acre; however, footprint dimensions will vary based on site-specific conditions.

Microwave Radio Facilities

NV Energy will construct new microwave radio facilities to provide a diverse and redundant telecommunications path pursuant to North American Electric Reliability Corporation reliability standards. Microwave equipment will be situated in the proposed Walker River Substation, at existing microwave radio facility locations, or at new greenfield locations. Proposed upgrades to existing facilities will be constructed in the existing microwave facility footprints, while new facilities will be constructed adjacent to existing facilities or in previously undisturbed areas.

The proposed microwave radio facilities will also require electric distribution service and installation of a backup propane generator. **Appendix D, Figures D10 and D11** show typical drawings of a microwave radio facility.

Optical Amplifier Sites

Optical data signals degrade with distance as they travel through the optical fiber cable and will require the installation of signal-boosting equipment at existing or proposed substation sites as well as greenfield signal regeneration sites, which will be situated in the transmission line ROW.

The proposed amplifier sites will also require electric distribution service and installation of a backup propane generator. NV Energy will optimize the location of optical amplifier sites to minimize the length and impact of distribution electric service. The following optical amplifier sites are proposed for the Project on private land in Lyon County:

- Amplifier within Walker River 120-kV Substation
- Amplifier within Walker River 230-kV Substation
- Amplifier within Walker River 345-kV Substation
- Amplifier within Walker River 525-kV Substation
- Amplifier within existing Fort Churchill Substation

2.2.5 Access Roads

Access roads are essential for construction, operation, and maintenance of the Project. Large foundation auger equipment, heavily loaded trucks, cranes, and specialized line construction equipment will be required for construction, maintenance, and emergency activities. Existing roads, existing roads that require improvement, new roads, and temporary roads will be needed for the Project. To the extent possible, existing roads will be used in their present conditions without improvement. In areas where improvements will be required, the roads will be graded to provide a smooth all-weather travel surface.

All Project access roads will meet NV Energy's construction road standards, which include the use of a minimum travel surface width of 25 feet depending on the radius of curves to facilitate safe movement of equipment and vehicles.

NNDA | Northern Nevada Development Authority

308 N Curry Street #101
Carson City, NV 89703
775.883.4413

Date: December 6, 2023

To: Mr. Louis Cariola, Community Development Director, Lyon County
Email: lcariola@lyon-county.org
From: Jeff Sutich, Executive Director, Northern Nevada Development Authority
Re: NV Energy Greenlink project, Commission agenda item 13b

Mr. Cariola-

As I am unable to attend this Thursday's Board of County Commissioners meeting, this letter is being provided to express our support for NV Energy's Greenlink project in Lyon County.

Greenlink will improve Northern Nevada's system reliability by providing a critical statewide transmission connection. Northern Nevada energy import capacity is currently fully subscribed.

The Greenlink infrastructure enhancements will not only connect power generating capacity in Nevada, but will also increase Northern Nevada import capacity. This will better serve existing customers, accommodate future economic growth for new and expanding businesses and support a growing population base.

Thank you for the opportunity to provide the Lyon County Board of County Commissioners with this letter of support for the Greenlink project.

Sincerely,

Jeff Sutich,
Executive Director
Northern Nevada Development Authority

Greenlink Nevada



NVEnergy

Greenlink West Transmission Project

Application for Conditional Use Permit

Lyon County
Board of County Commissioners

Presented By:

Charles Hutchinson, AICP

POWER Engineers, Inc.

December 7, 2023

Agenda

- Introduction
- Project Purpose and Need
- Project Overview
- Scope of Lyon County Conditional Use Permit (CUP) Application
- Project Location
- Lyon County Code Compliance
- Project Contacts
- Questions

Project Purpose and Need

- Greenlink Nevada is needed to:
  - Increase Northern Nevada transmission import capacity to meet native electric demand and FERC requests for service.
  - Improve Nevada's overall system reliability by providing a second critical statewide transmission connection.
  - Comply with Nevada Senate Bill 448, which requires NV Energy to plan for, construct, and energize the Greenlink high-voltage transmission projects by December 31, 2028.



Project Overview

- Greenlink Nevada Transmission Project
  - Greenlink West
    - **Fort Churchill to Northwest 525 kV Transmission Line***
    - Northwest to Harry Allen 525 kV Transmission Line
    - Northwest Substation expansion
    - Amargosa and Esmeralda 525/230 kV collector substations
  - Common Ties
    - **Fort Churchill 500/345/230/120 kV Substation***
    - Fort Churchill to Mira Loma 345 kV Transmission Line
    - Fort Churchill to Comstock Meadows #1 345 kV Transmission Line
    - Fort Churchill to Comstock Meadows #2 345 kV Transmission Line
  - Greenlink North
    - Fort Churchill to Robinson Summit 525 kV Transmission Line
    - Lander 525/230 kV Collector Substation

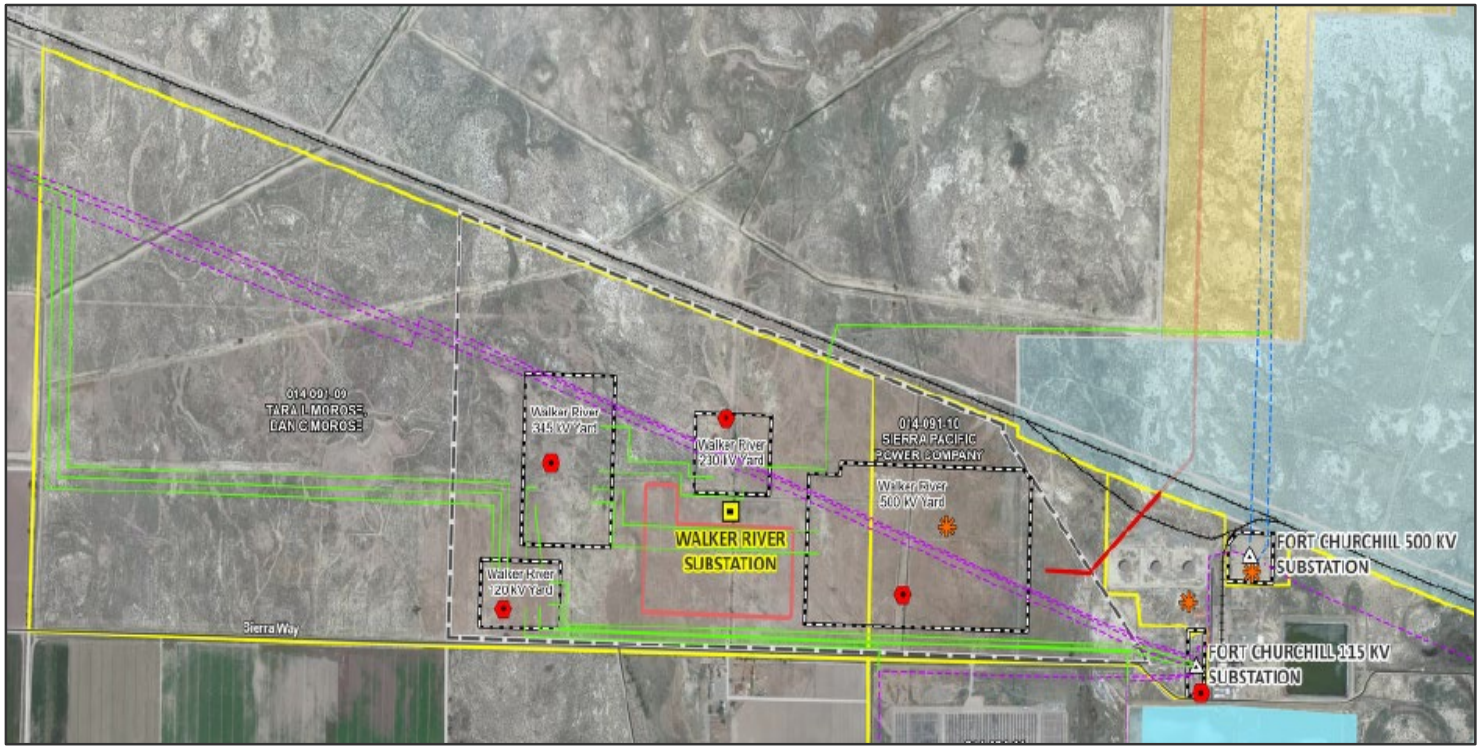


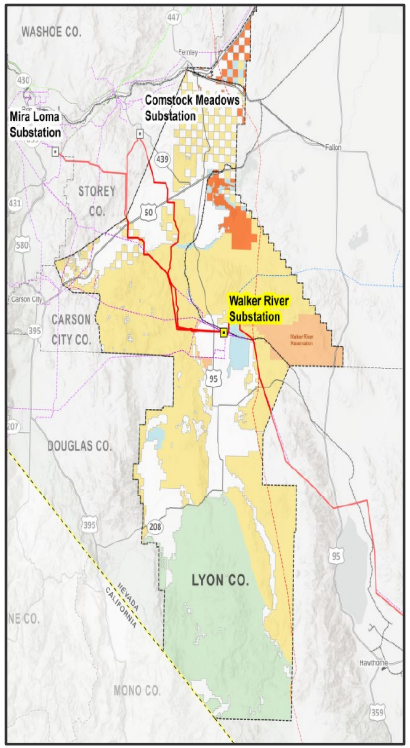
Scope of CUP Application

- Fort Churchill to Northwest 525 kV Transmission Line
  - Esmeralda-Fort Churchill Transmission Line in Lyon County
    - 0.3-mile-long portion on private land in Lyon County
    - 200-foot-wide transmission line right-of-way

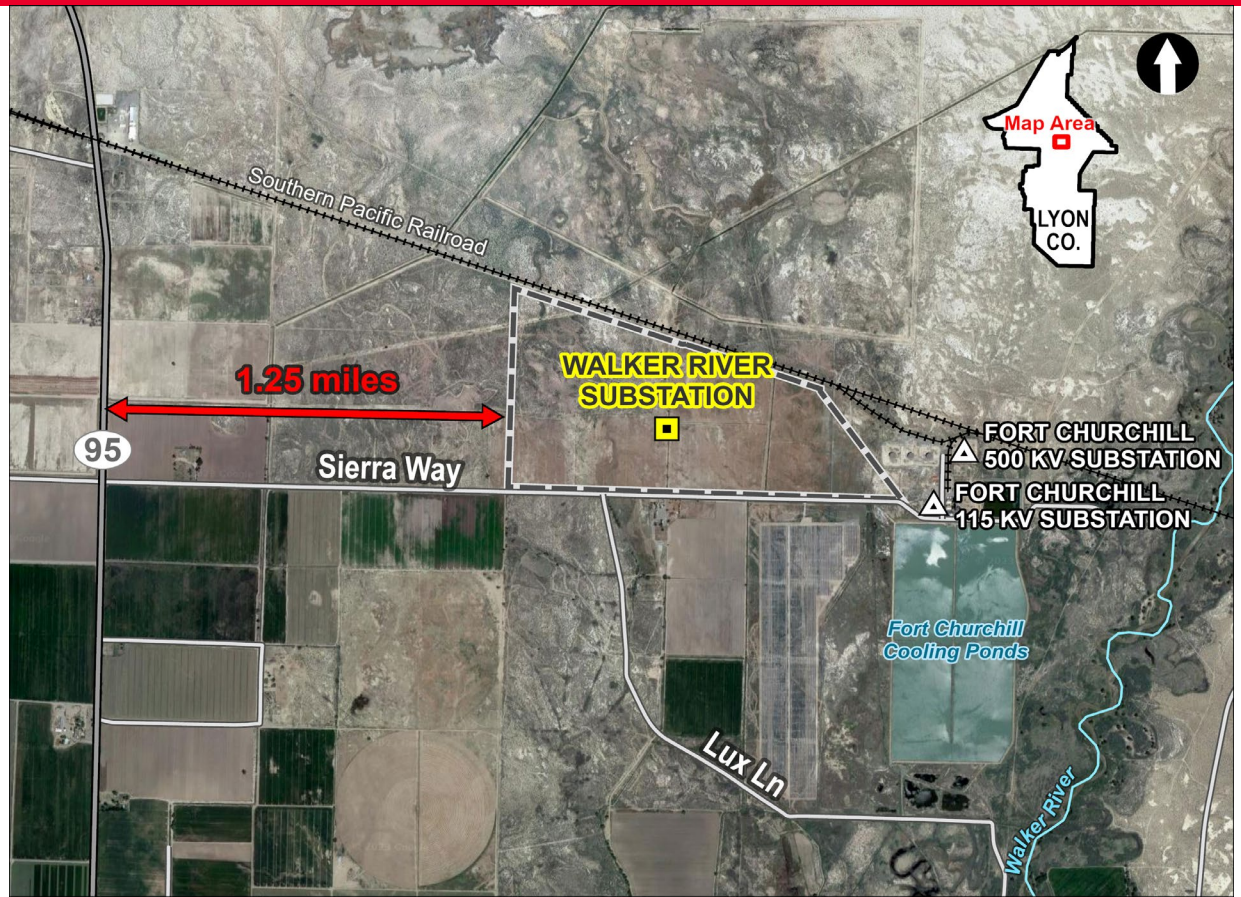
- Fort Churchill 500/345/230/120 kV Substation
  - Approximately 343 acres on portions of 3 private parcels:
    - Parcel 014-091-09: 252 acres (252 acres owned by NV Energy, remainder of parcel owned by Dan Morose)
    - Parcel 014-091-10: 88 acres (NV Energy property)
    - Parcel 014-091-11: 3 acres (NV Energy property)

Project Location





Project Location (continued)



Lyon County Code Compliance

- Complies with Lyon County Code 15.230.06
  (Conditional Use Permits – Findings)

- Complies with Lyon County Code 15.336.10
  (Performance Standards for Conditional Uses –
  Power Transmission Lines)

- Complies with Lyon County Code 15.336.11
  (Performance Standards for Conditional Uses –
  Power Substations)

Project Contacts

Charles Hutchinson, AICP

Permitting Lead

charles.hutchinson@powereng.com

(303) 914-2285

Adam Godorov, P.E., PMP

Project Engineering Director

Transmission Development

Adam.Godorov@nvenergy.com

(702) 402-1122

Community Development Department

NV Energy - Greenlink NV CUP

PLZ-2023-052

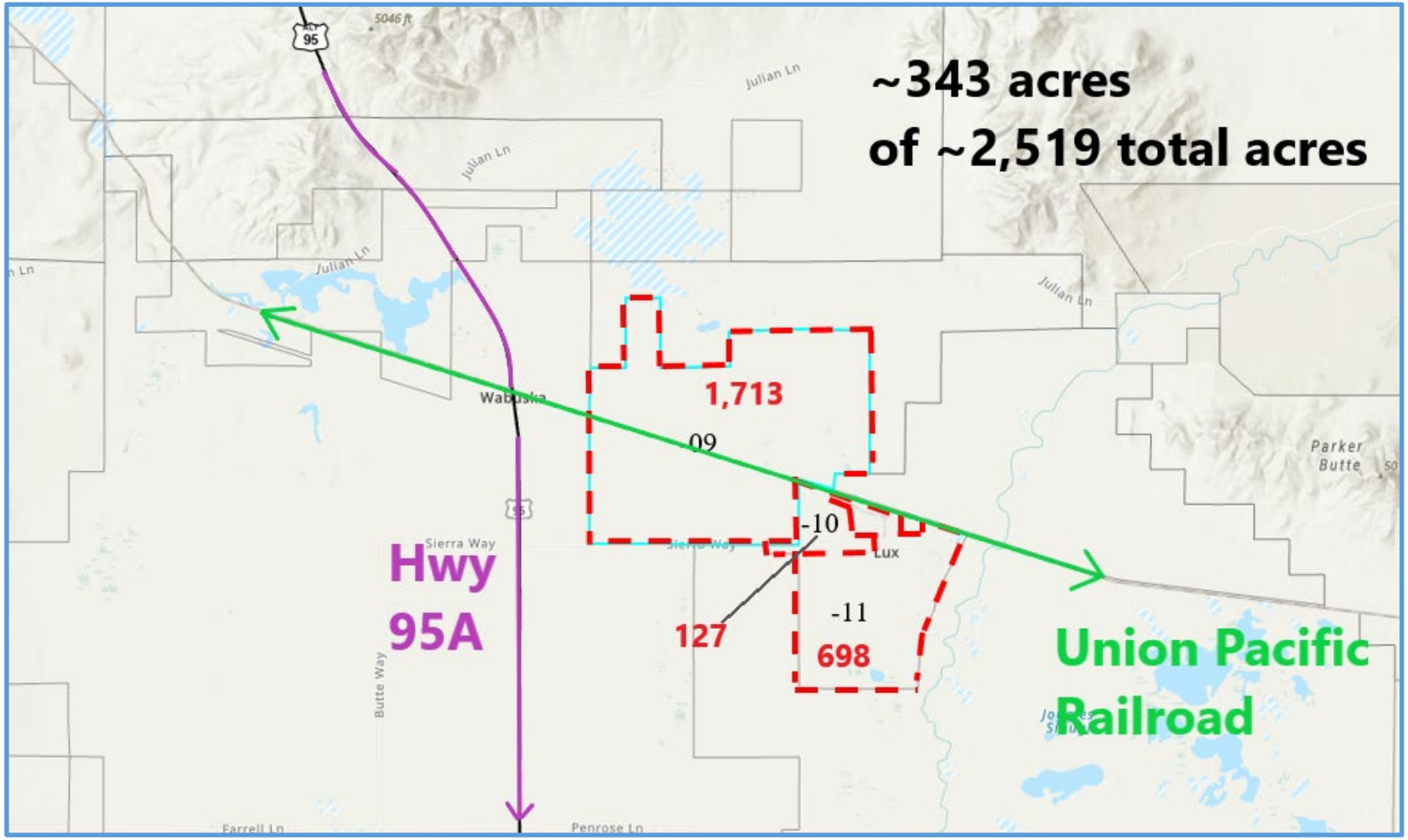
Board of County Commissioners

December 7, 2023

Community Development Department

Mason Valley - Wabuska

3 APNs – 014-091-[09,10,11]



Applicant:
NV Energy
(Adam Godorov)

Owners:
2 parcels
NV Energy dba
Sierra Pacific Power
(-10 and -11)

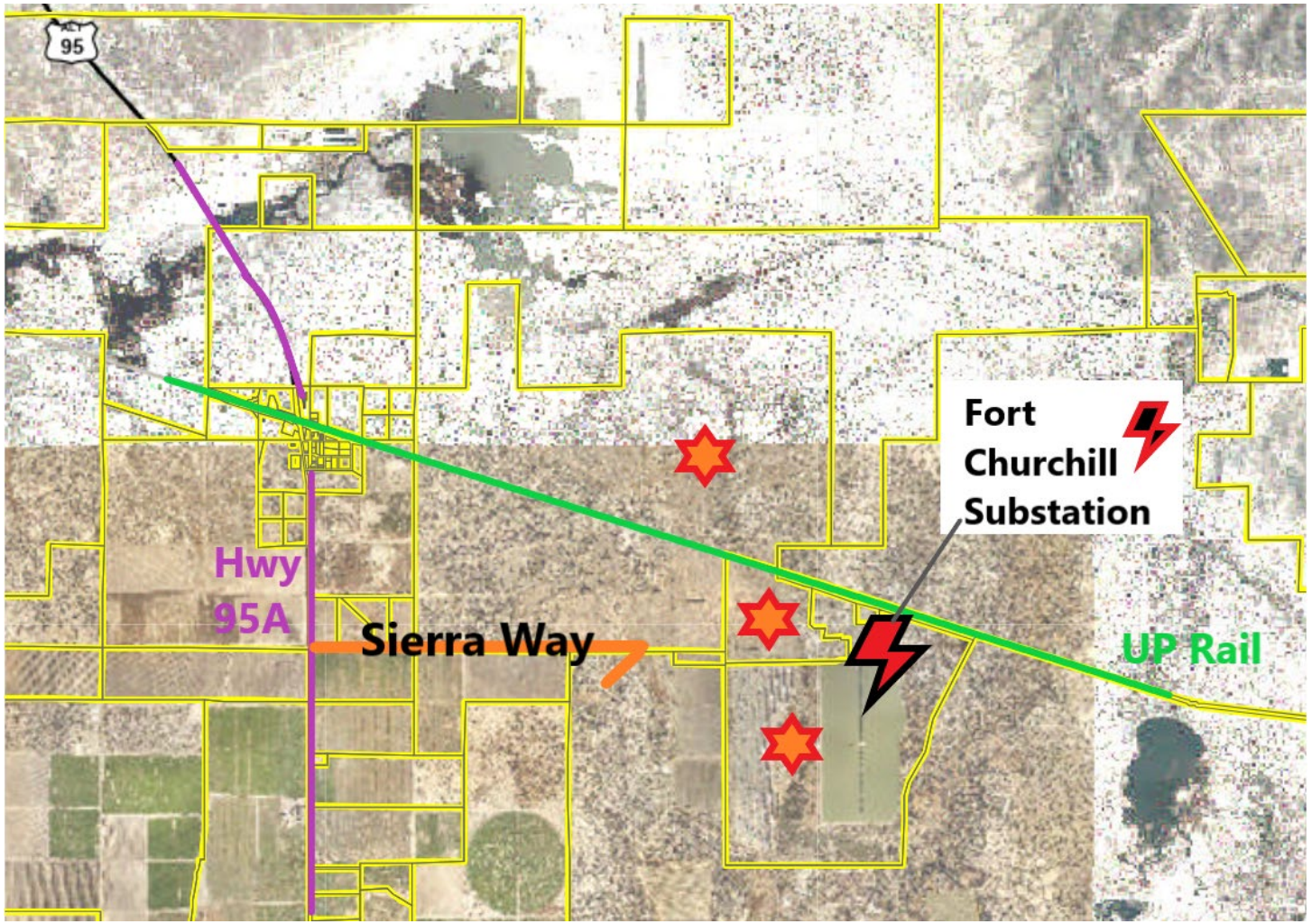
Dan and Tara Morose
1 parcel
(-09)

Representative:
POWER Engineers, Inc.
Charles Hutchinson, *P.E.*

Community Development Department

Mason Valley - Wabuska

3 APNs – 014-091-[09,10,11]

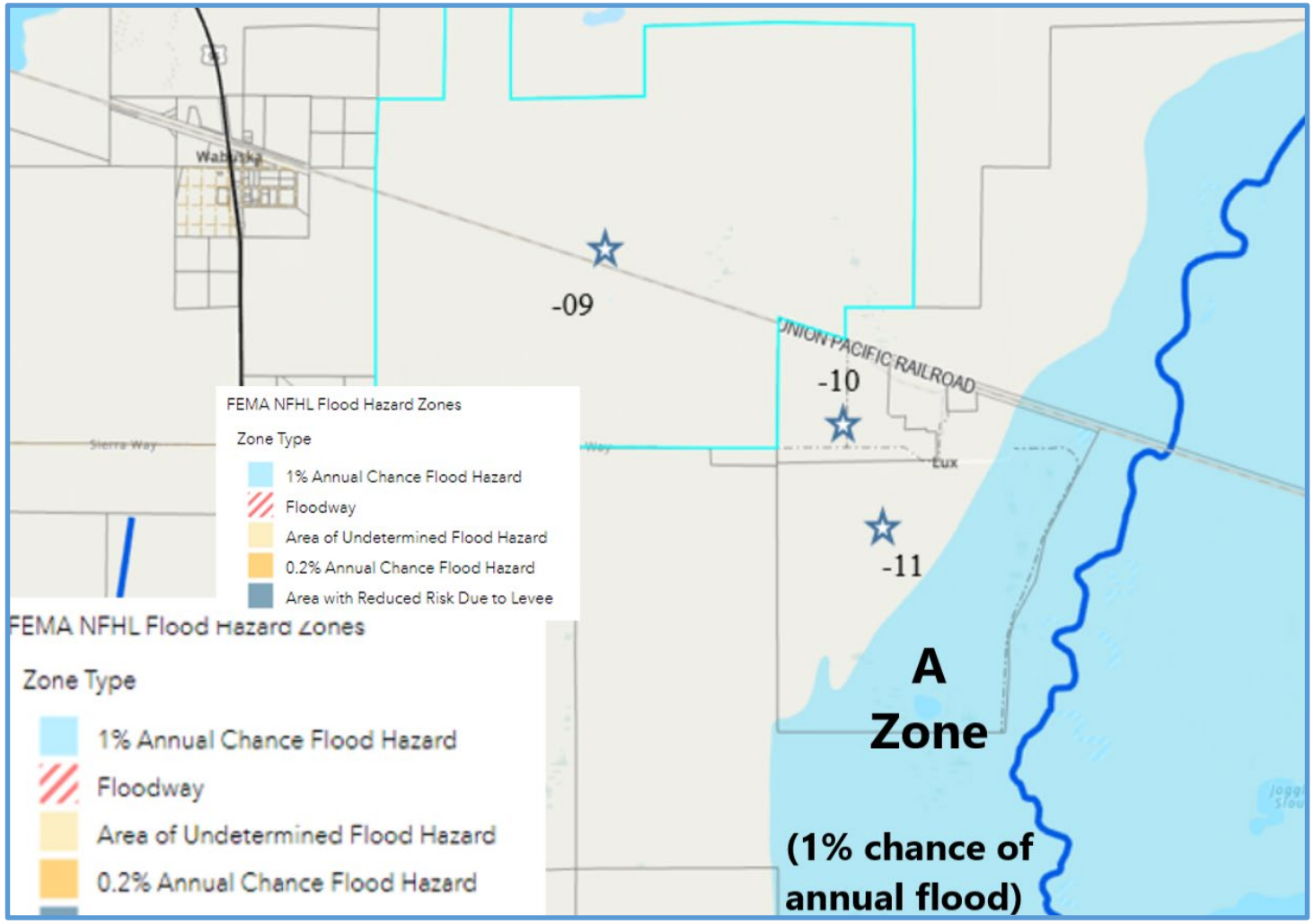


Sites are
West and
Northwest of
Fort Churchill Substation
-Access via Sierra Way from Hwy 95A to west

(Substation is ~2.5 miles east of Hwy 95A)

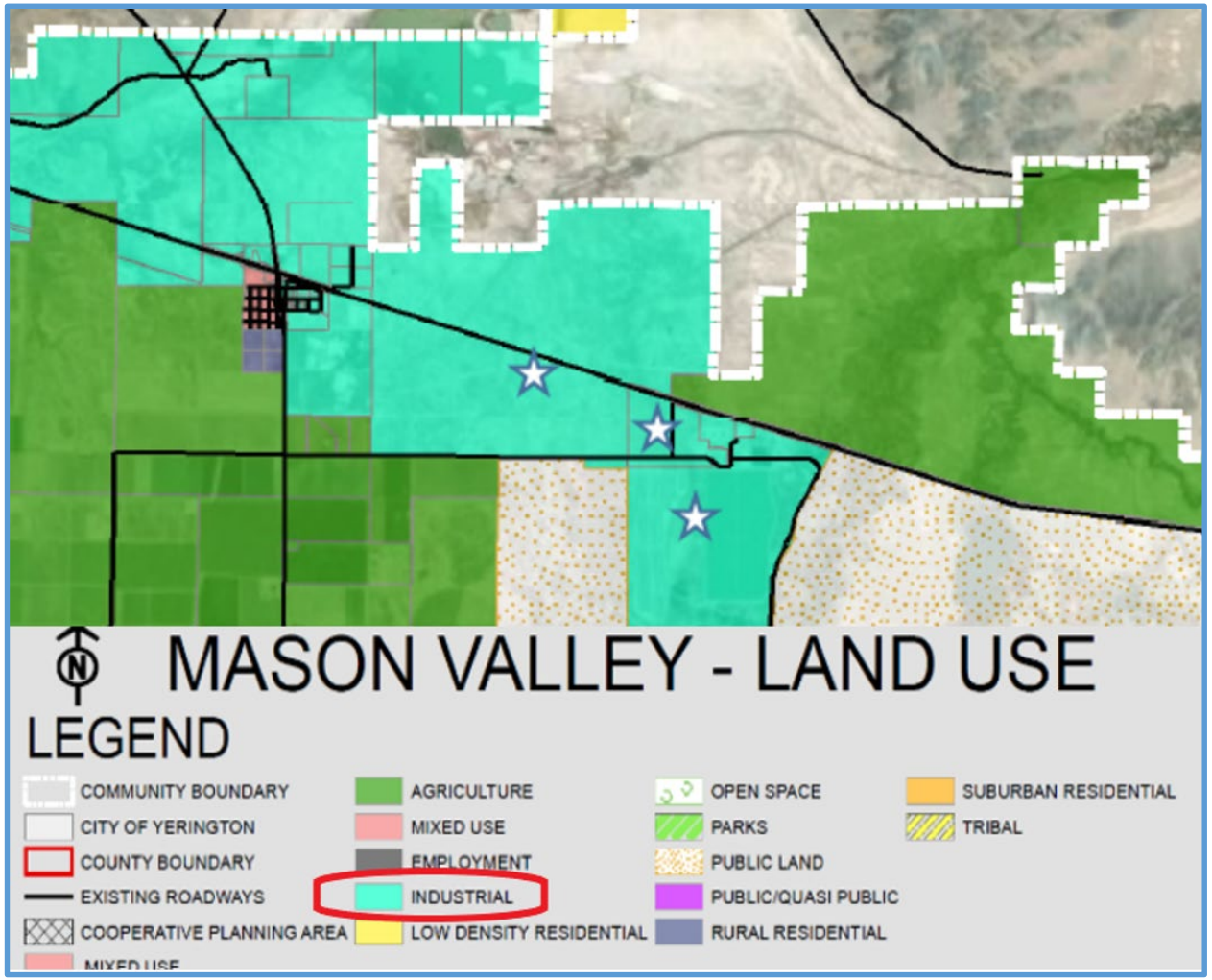
Community Development Department

The eastern parcel is partial A Zone (FEMA FIRM)



A **Floodplain Development Permit** will assess any potential building and grading requirements that would be affected by the A Zone.

Master Plan - Industrial

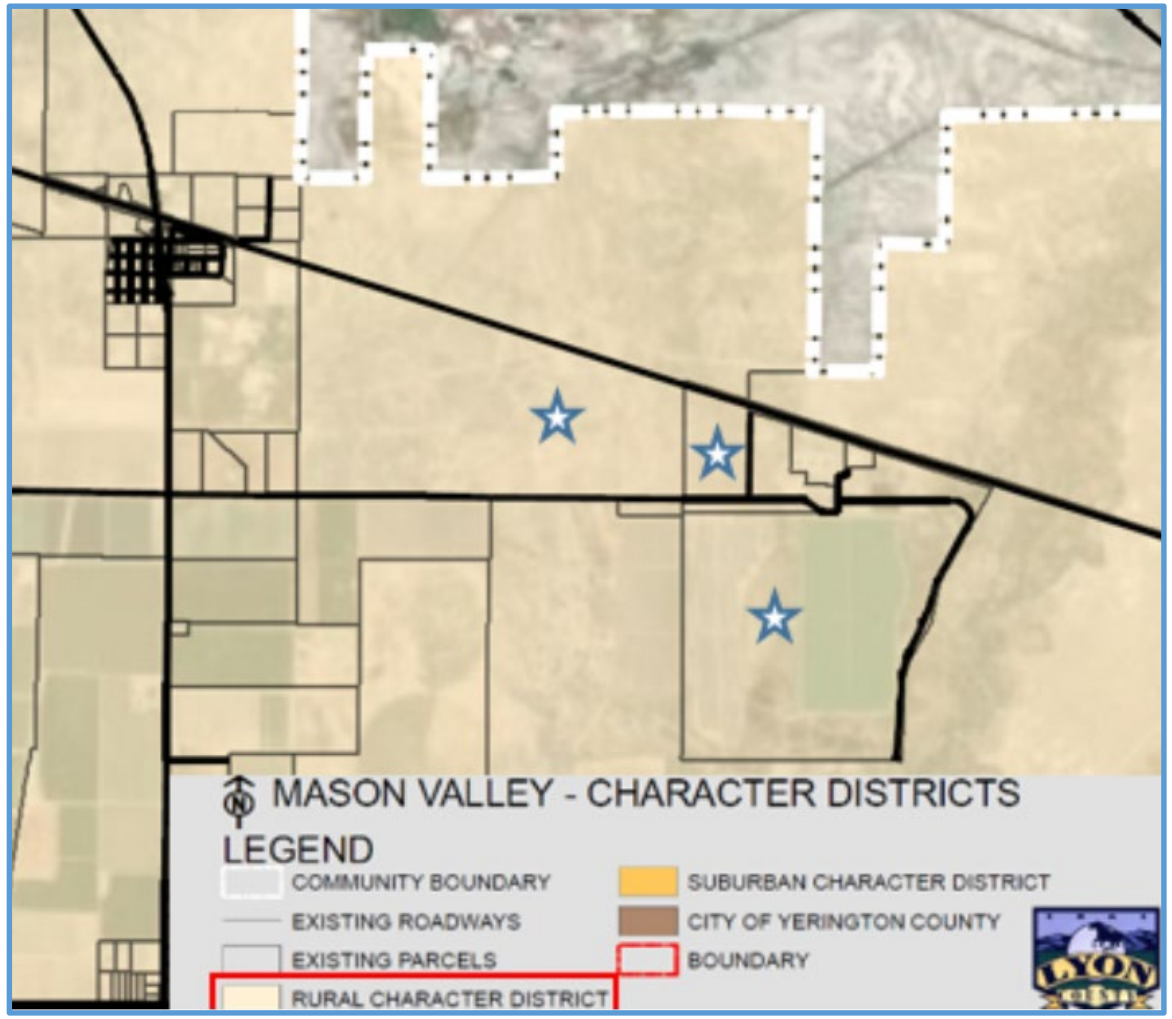


Industrial per the Master Plan

Surrounding designations include

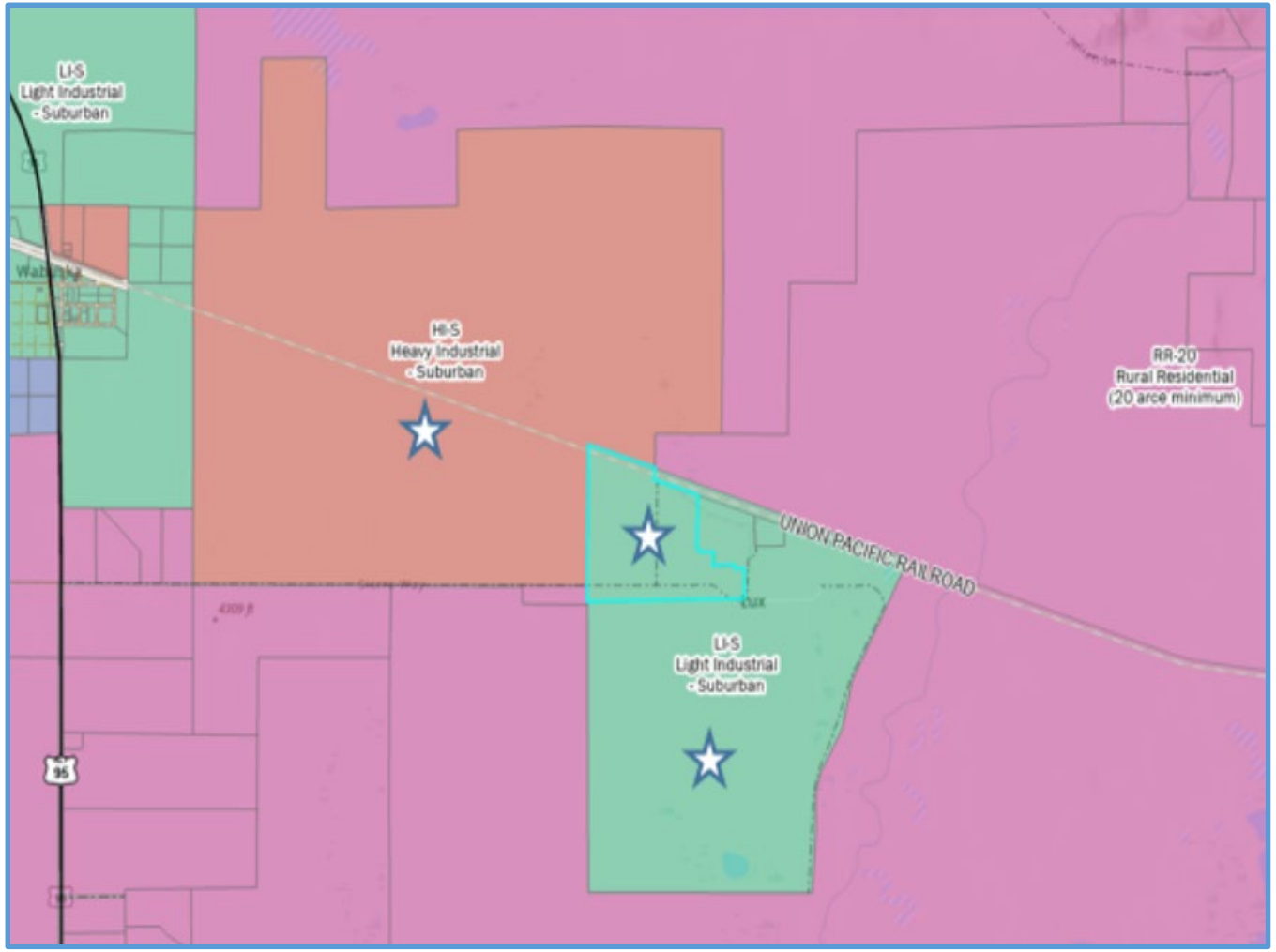
- Agriculture
- Public Lands

Master Plan – Character District is Rural



The subject parcel is within a **Rural Character District** per the 2020 Master Plan.

Zoning and Utilities



The zoning on the subject parcel is **M-E** (Industrial Estates) and M1 (General Industrial) **subject to**

- **L-I (Light Industrial) and**
- **HI (Heavy Industrial)** standards per the Consistency Matrix.

- There are no public utilities available (water and sewer).
- Per the applicant, the project will not require long-term municipal utilities such as water, wastewater, and solid waste management and no new water rights are sought

Project Summary – LYON COUNTY

The applicant's project proposes:

- New electric service substation
- High Voltage Transmission Lines
- Microwave and Optical amplifiers
- Maintenance Yards
- Maintenance Roadways

A CUP is necessary ONLY for the privately owned portions of project.

Project Summary – LYON COUNTY

A CUP is necessary ONLY for the privately owned portions of project.

TABLE 15.320-4
TABLE OF ALLOWED USES - EMPLOYMENT AND INDUSTRIAL ZONING DISTRICTS

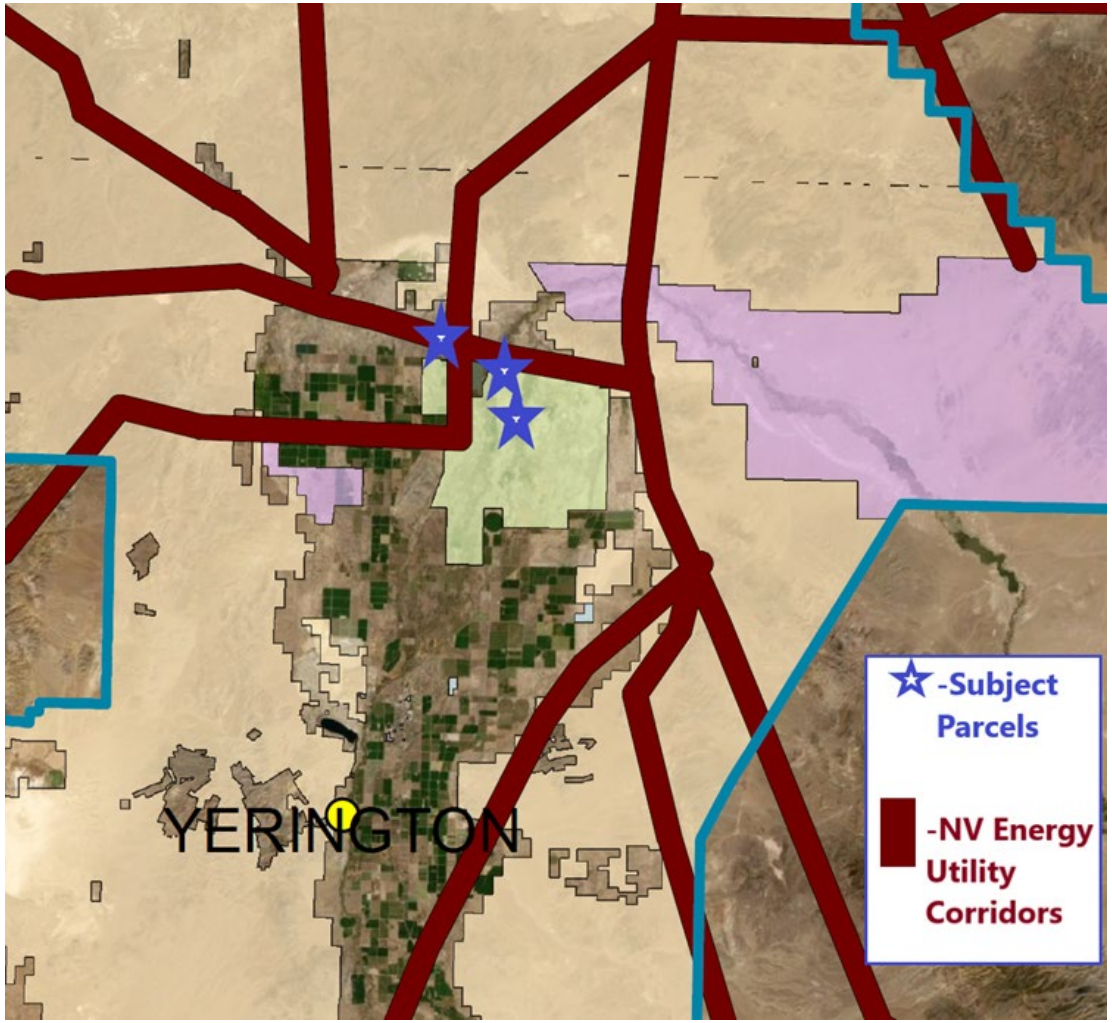
P = Permitted; C = Conditional use permit required; T = Temporary use permit required; - = Not permitted

Use Category	*Use Type*	*LI-R*	*LI-S*	*HI-R*	*HI-S*	*SI*	*EMU*	*XX*	*Specific Use Requirements (Code Reference)*
	Power substations	C	C	C	C	C	-	-	Chapter 336
	Power transmission lines, 60kV or greater	C/P	C/P	C/P	C/P	C/P	C/P	C/P	Chapter 336; power transmission lines (greater than 60kV) located within a designated utility corridor identified in Master Plan are permitted subject to design review

- Power Substations
- Transmission Lines (over 60kV)

Require CUP or Design Review

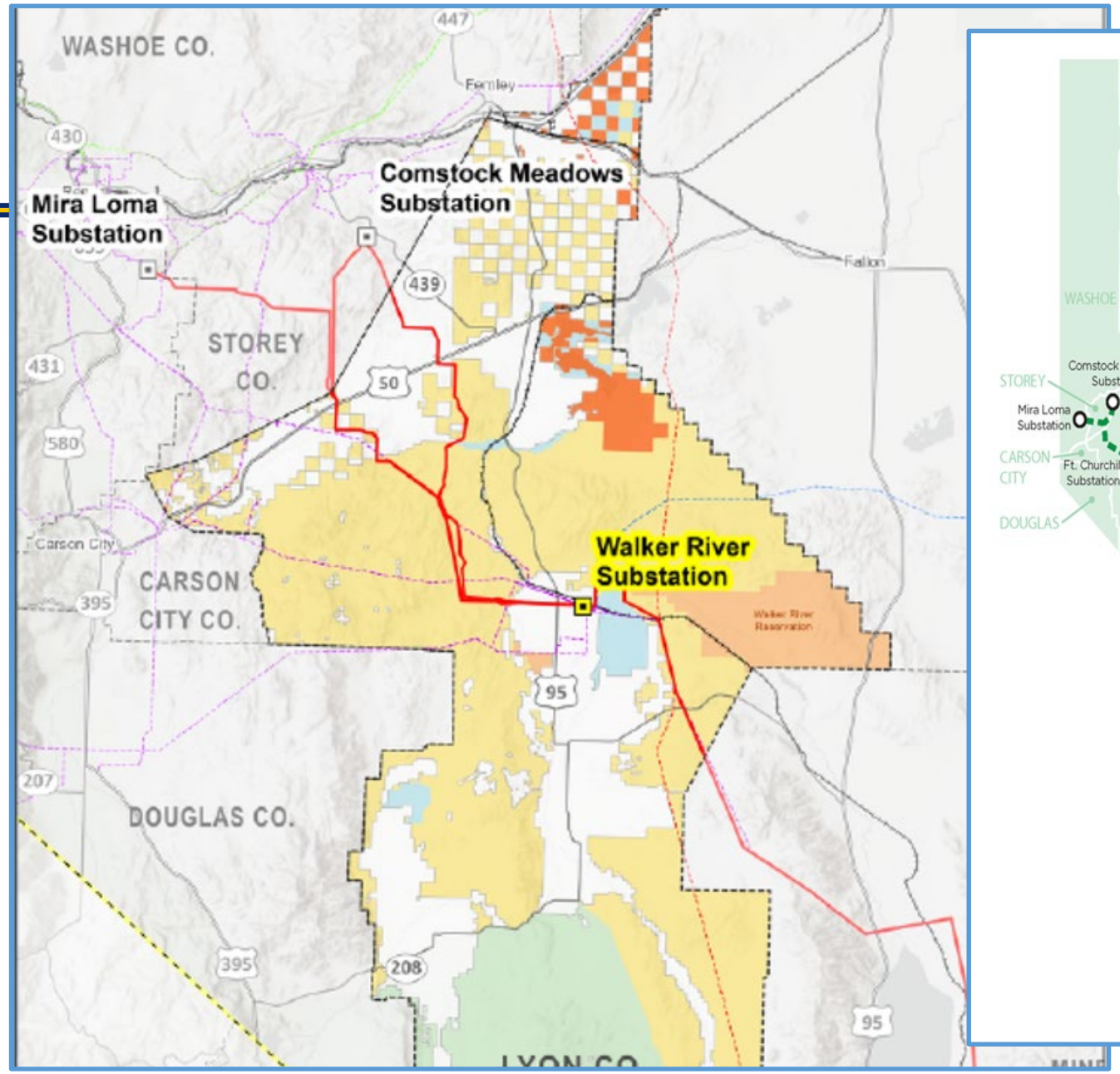
Master Plan – Utility Corridors

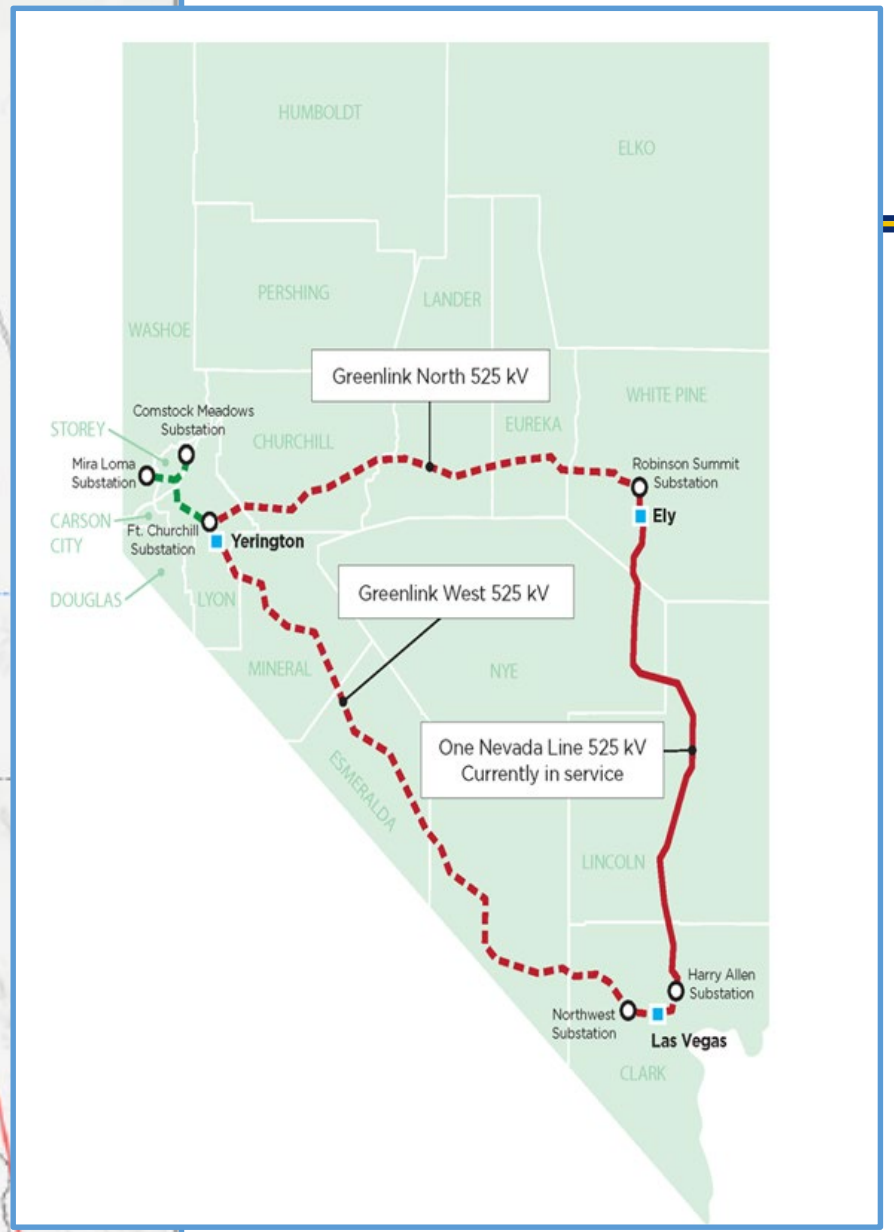


- 2020 Master Plan recognizes future projects, but the locations are generalized.
- Most of the alignment is over publicly-owned lands.

Project Site Plan (modified)

– page 32 of PC packet
(page 11 of SR)





Site Plan (modified)

– page 33 of PC packet
(page 12 of SR)

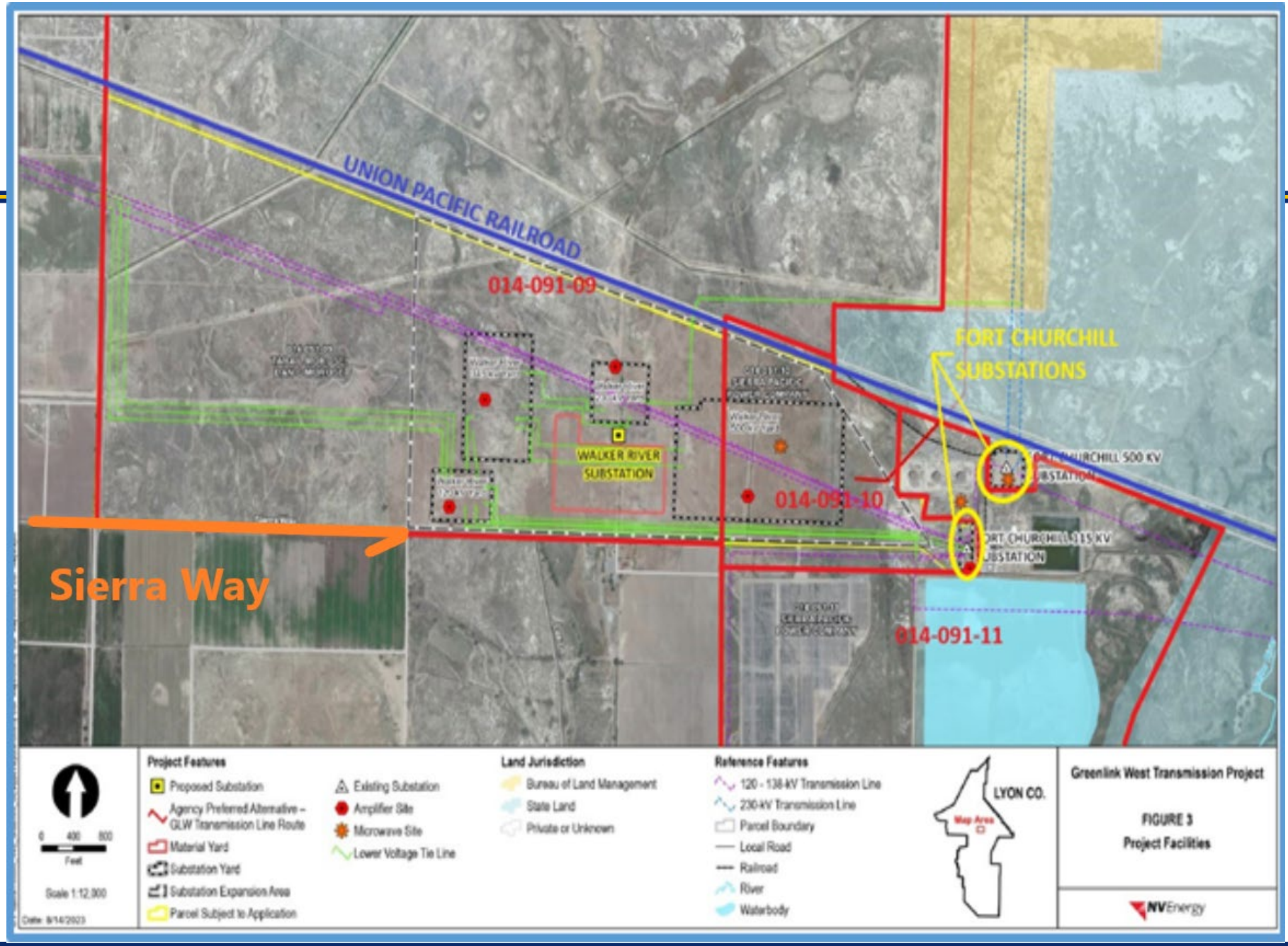


Photo - Applicant



PHOTO 1 VIEW SOUTHWEST ALONG AGENCY PREFERRED ALTERNATIVE FOR 525-KV TRANSMISSION LINE

Findings

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 tentative subdivision map.

Community Development Department

Conditions of Approval - highlights

2. The applicant shall comply with all applicable **Fire**, **building**, **zoning** and improvement **code requirements and obtain any necessary public inspections**.

3. All construction documents and separate applications must be submitted to the **Mason Valley Fire Protection District** (MVFPD) and the **Lyon County Building Department** for review and approval to obtain a Building Permit.
   a. Fire plan review by MVFPD is required.
   b. An **encroachment permit** from the **Lyon County Road Department** (LCRD) is required ….

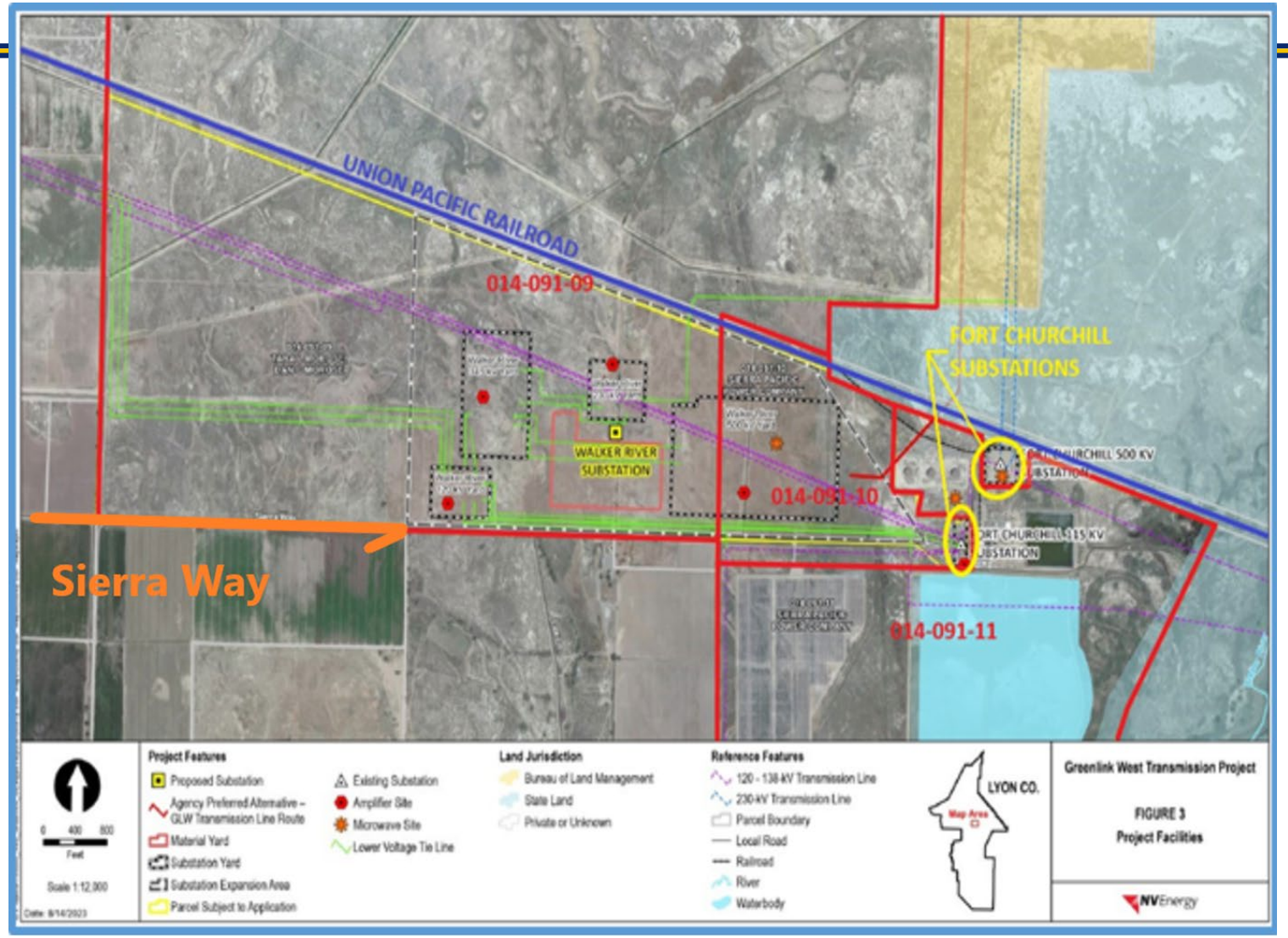
6. Exterior **lighting** shall be **downward facing and shielded** such that light is **not shed onto adjacent properties** and public rights-of-way.

9. Prior to operation, the Applicant shall ensure the satisfactory completion of all required access, driveway and parking improvements to ….
   The Applicant shall enter into a road maintenance and traffic management agreement with the County …

PC (and staff) Recommendation – Approval

On **November 14, 2023**, the **Planning Commission voted** 7-0 **to recommend approval** to the Board of Commissioners.

Staff questions?



The applicant's representatives will have a full presentation also.

Lyon County Board of County Commissioners Agenda Summary

Meeting Date: December 7, 2023

Agenda Item Number:
13.c

Subject:
For Possible Action: Approve a Master Plan Amendment request from Michael A. and Claudia C. Casey to amend the Master Plan designation from Mixed-Use to Suburban Residential for 17 parcels totaling 10.35-acres generally located on the west side of US 95A between Idaho Avenue and Spruce Avenue in Silver Springs (APNs 018-415-16, -17, -18, -19, -20; 018-415-24, -25, -26, -27, -28, -29, -30, -31, -32, -33, -34, -35) PLZ-2023-055.

Summary:

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:

ATTACHMENTS
- Staff Report
- Backup

Community Development Department

Michael A. and Claudia C. Casey Master Plan Amendments

PLZ-2023-055

Board of County Commissioners

December 7, 2023

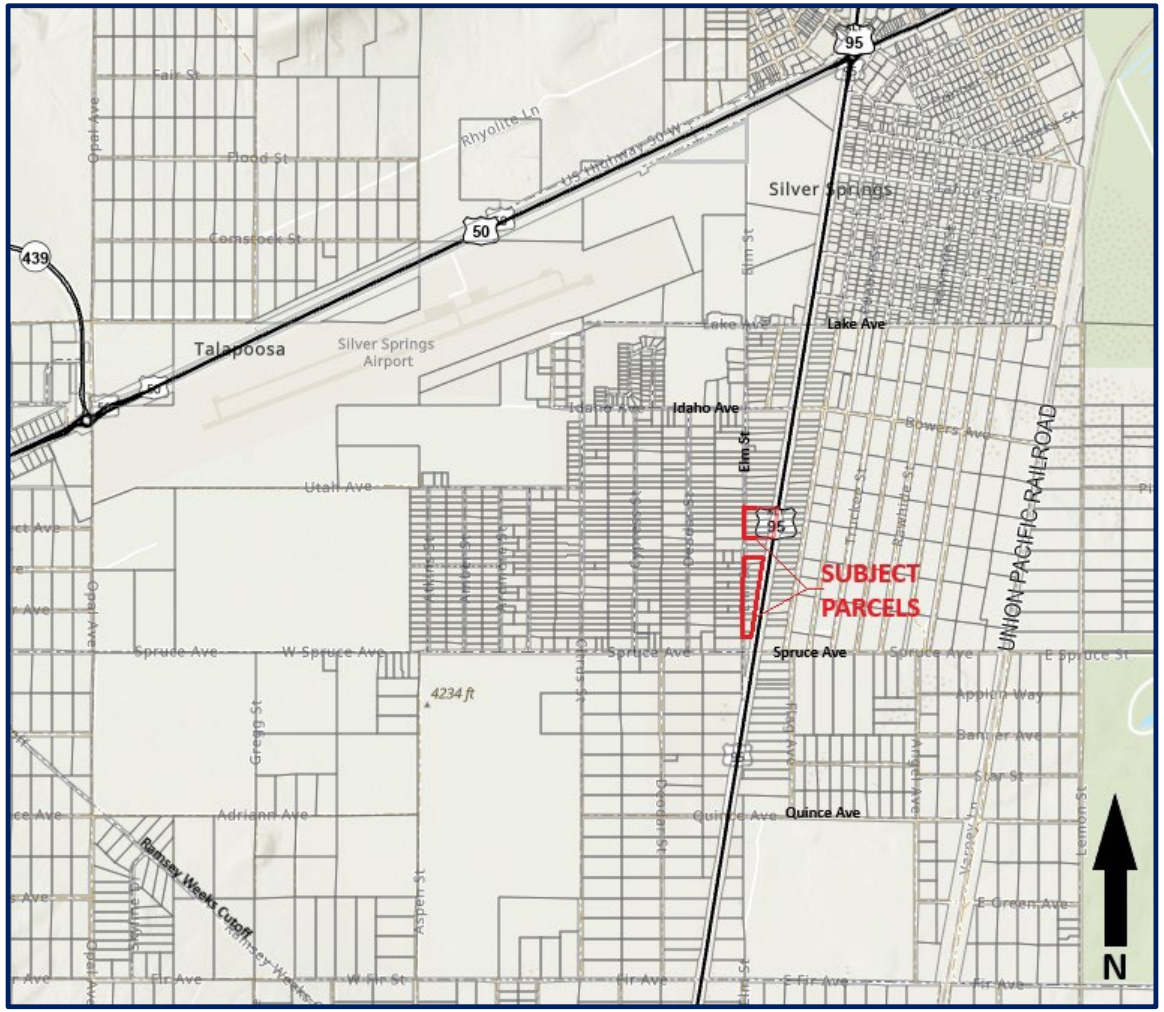
Applicant Request

The Applicant requests a Master Plan Amendment to **change the designation from Mixed-Use (MU) to Suburban Residential (SR) on 17 parcels** totaling **10.35 acres** in Silver Springs.

The stated future intent of the proposed Zoning Map Amendment is to change the 17 parcels from commercial zoning to residential zoning for future residential development.

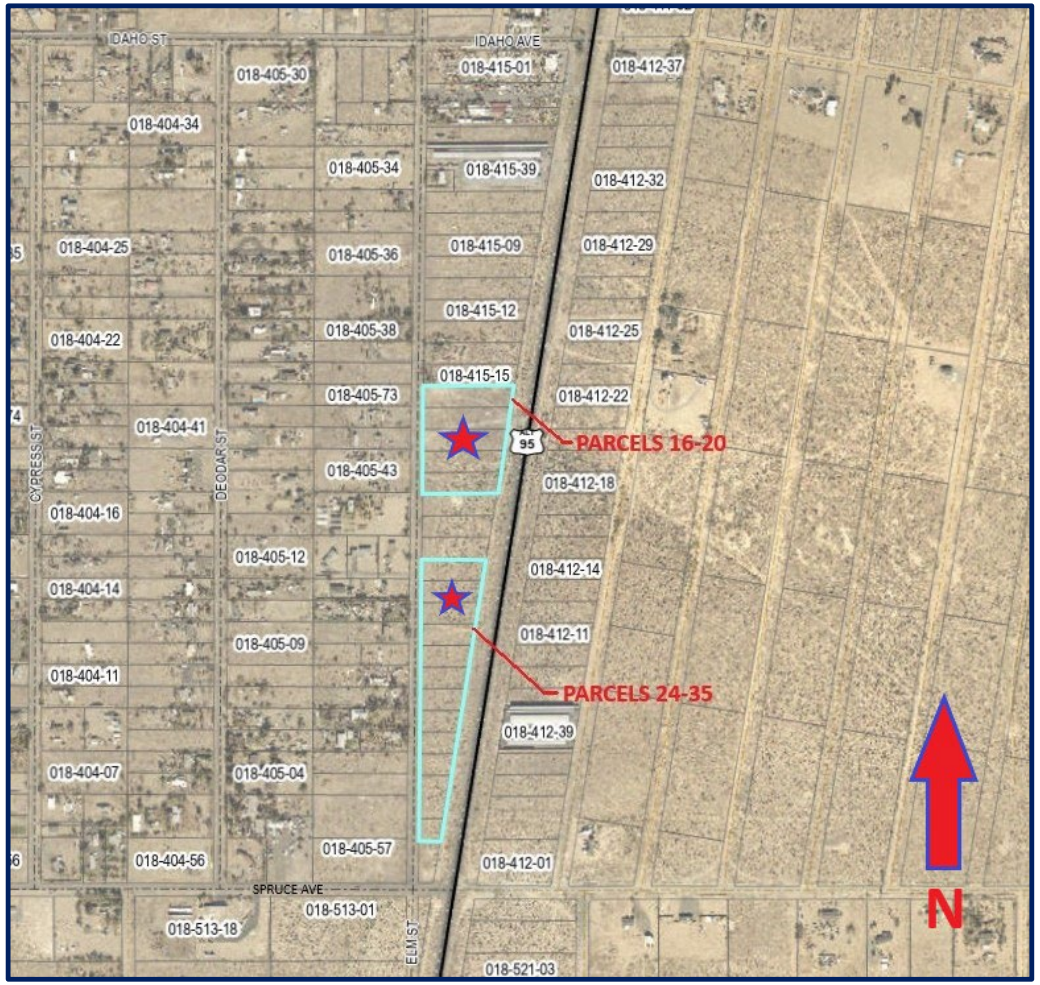
Community Development Department

Vicinity Map



Community Development Department

Project Summary



Location:
East of Elm Street, North of Spruce Avenue in Silver Springs, Adjacent to and Directly West of US Highway 95A

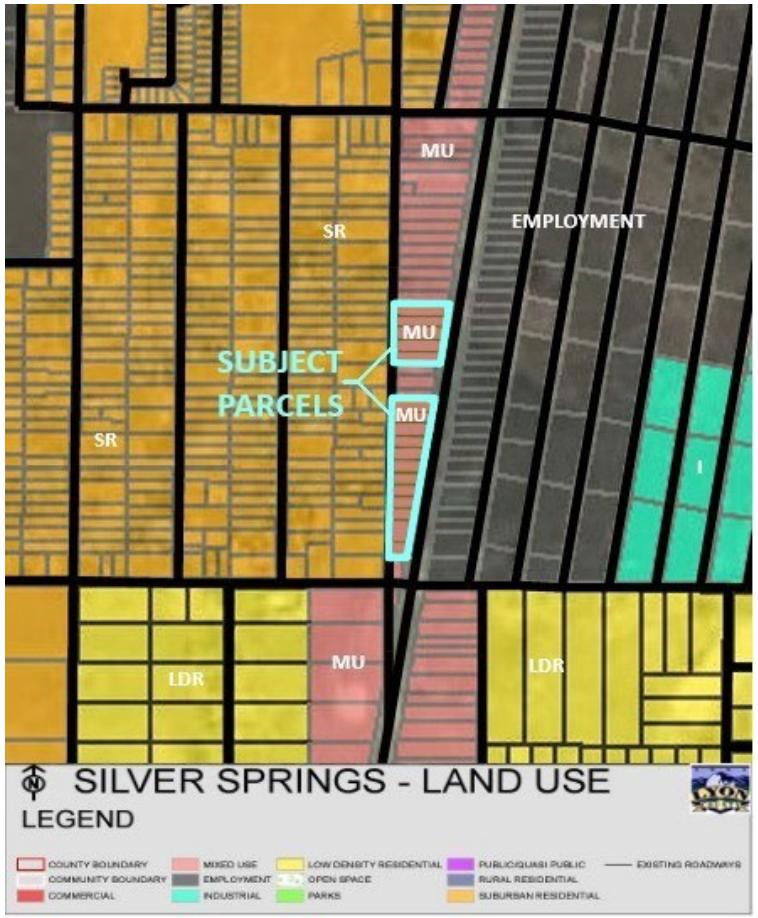
APNs:

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018-415-17	018-415-25	018-415-30	018-415-35
018-415-18	018-415-26	018-415-31	
018-415-19	018-415-27	018-415-32	
018-415-20	018-415-28	018-415-33	

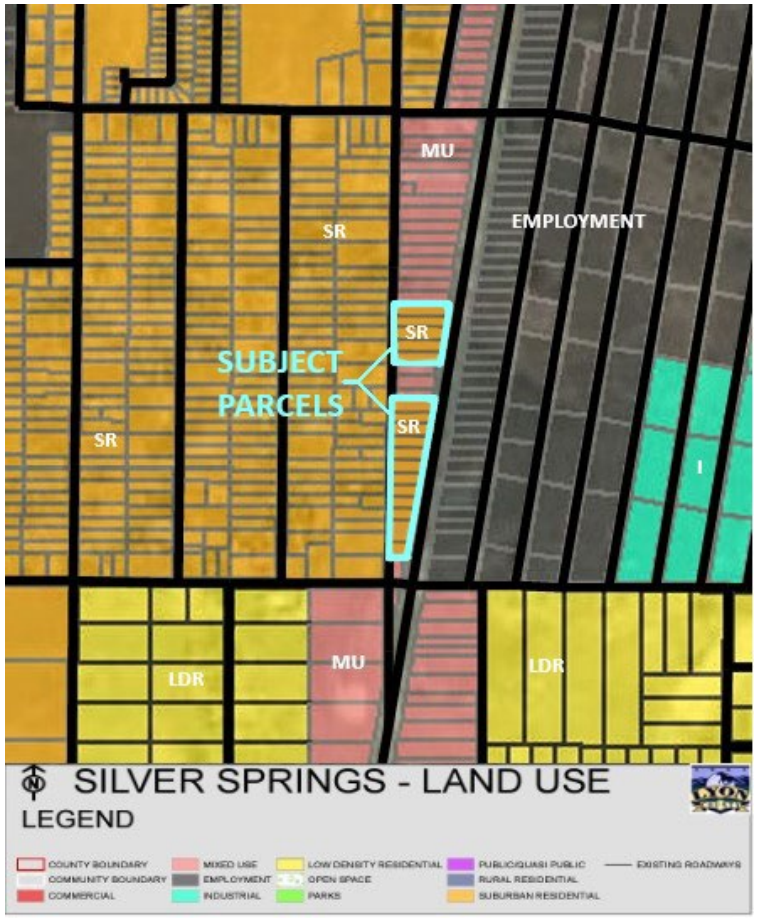
Total Area:
10.35 Acres (varying from 0.26 acres to 0.95 acres)

Topography:
Relatively flat topography as are surrounding lots

Master Plan – Current and Proposed



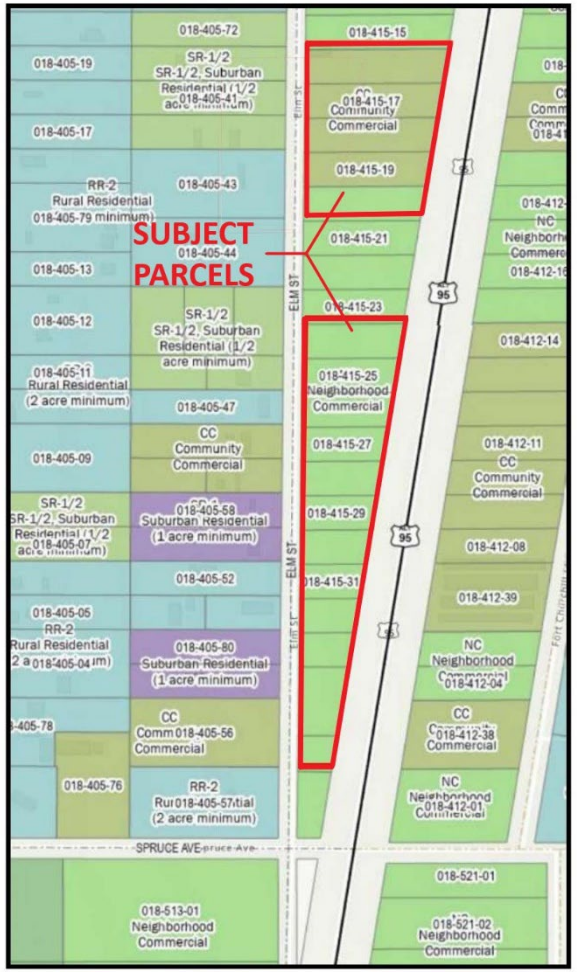
Existing Master Plan Land Use



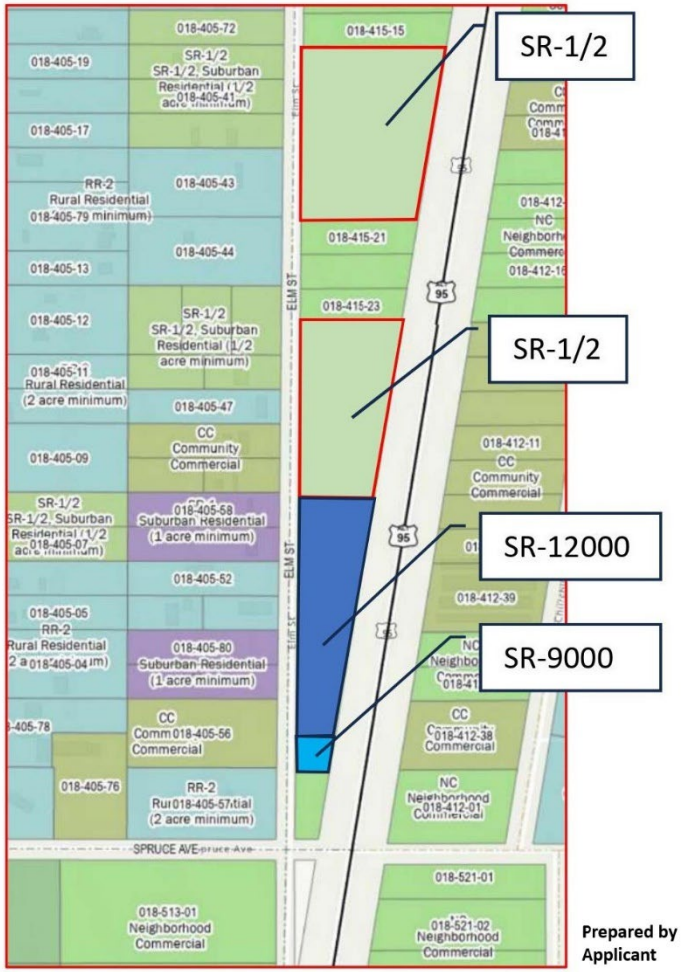
Proposed Master Plan Land Use

Community Development Department

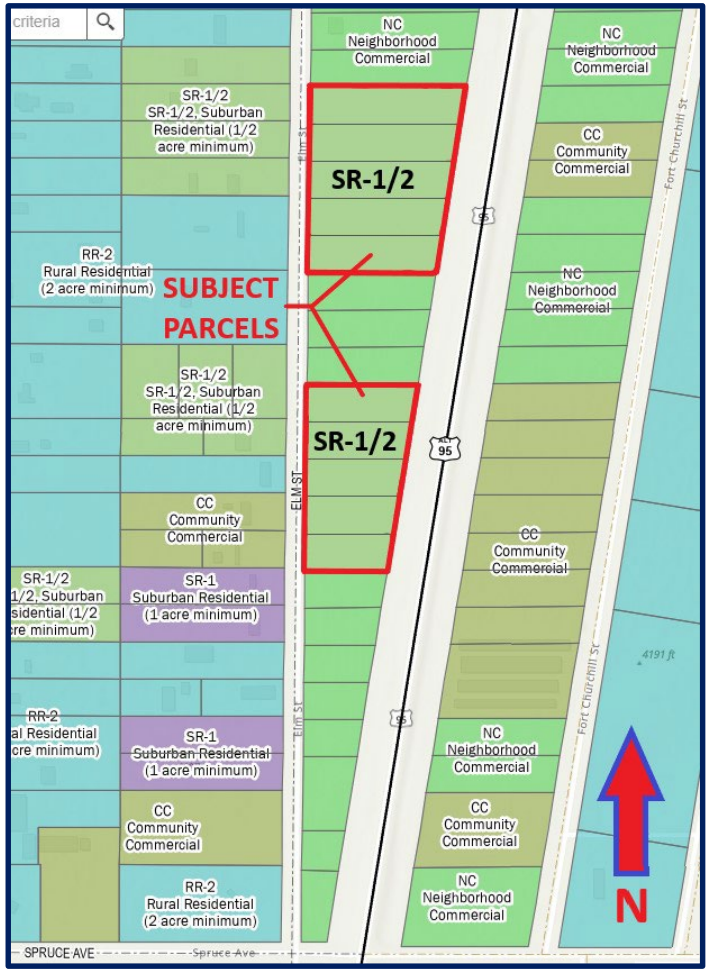
Zoning – Current and Proposed



Existing Zoning

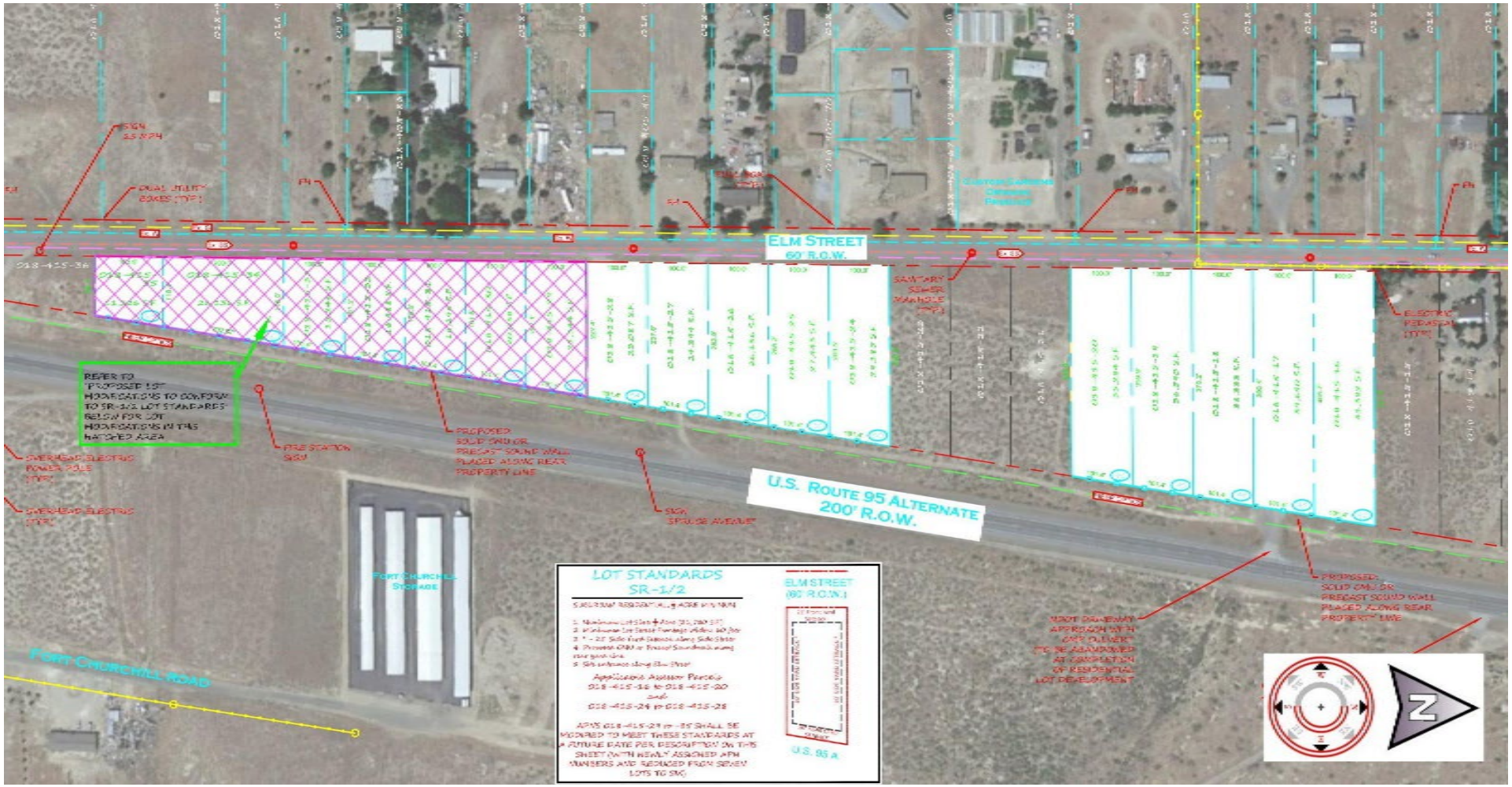


Initial Proposed Zoning



Currently Proposed Zoning

Conceptual Site Plan



Project History

- A Master Plan Amendment (MPA) and a Zoning Map Amendment (ZMA) was submitted in 2021 (PLZ-2021-089).
- The MPA request was substantially the same and included the ZMA for all 17 lots.
- The Applicant requested withdrawal of the application after public notice for the Planning Commission hearing had been completed.
- The Planning Commission was required to hear the item and made a recommendation of **Denial, without prejudice**.
- The Board of Commissioners subsequently **Denied, without prejudice**, the application in December 2021.

Findings

Chapter 15.210.03 lists the **Findings** for the Board to consider when reviewing a request for a Master Plan Amendment. The Findings must be supported by a statement of evidence, facts and conclusions prior to making a recommendation of approval or denial.

A. Consistency With The Master Plan

B. Compatible Land Uses

C. Response To Change Conditions

D. No Adverse Effects

E. Desired Pattern Of Growth

Finding Highlights

Finding A: Consistent with Master Plan policies supportive of orderly growth patterns within the Silver Springs Community.

Finding B: Compatible with existing, adjacent development (1/2 to 2 acre residential parcels) to the west.

Finding C: Responsive to changed conditions of slow to no growth of commercial properties along the highway and the need of housing.

Finding D: Continues development pattern from the west, doesn't introduce a new or incompatible use to the existing area.

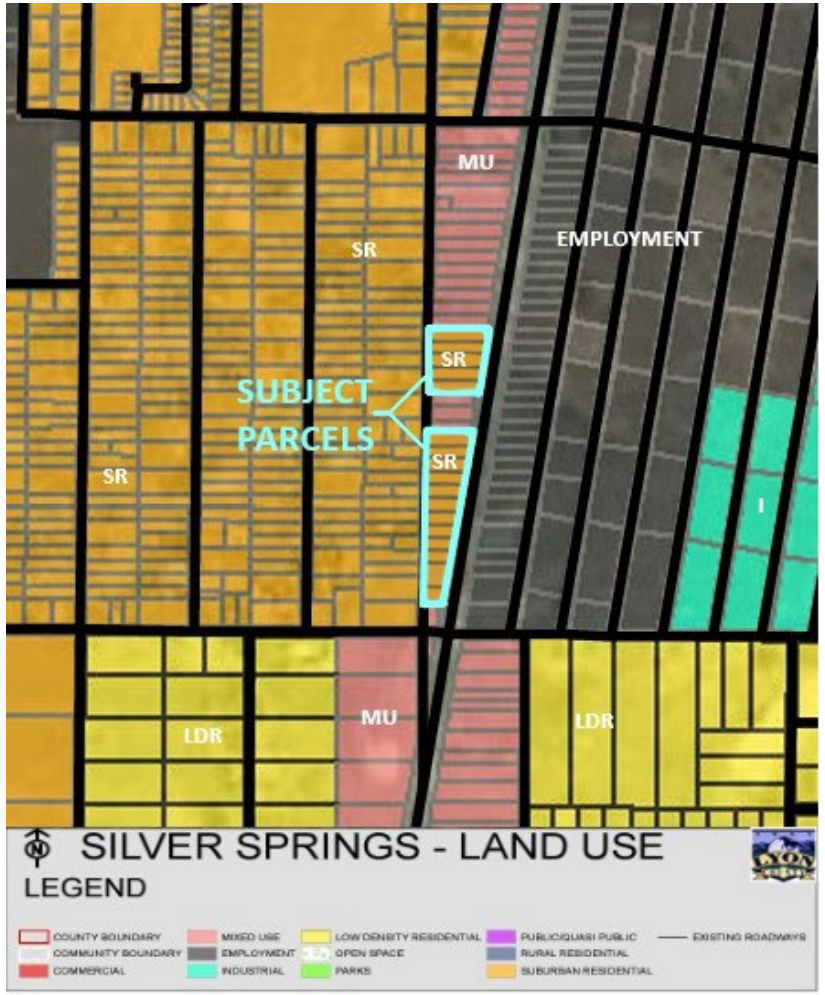
Finding E: The subject area has existing infrastructure (public water and sewer) and would not introduce a significant new need for public services.

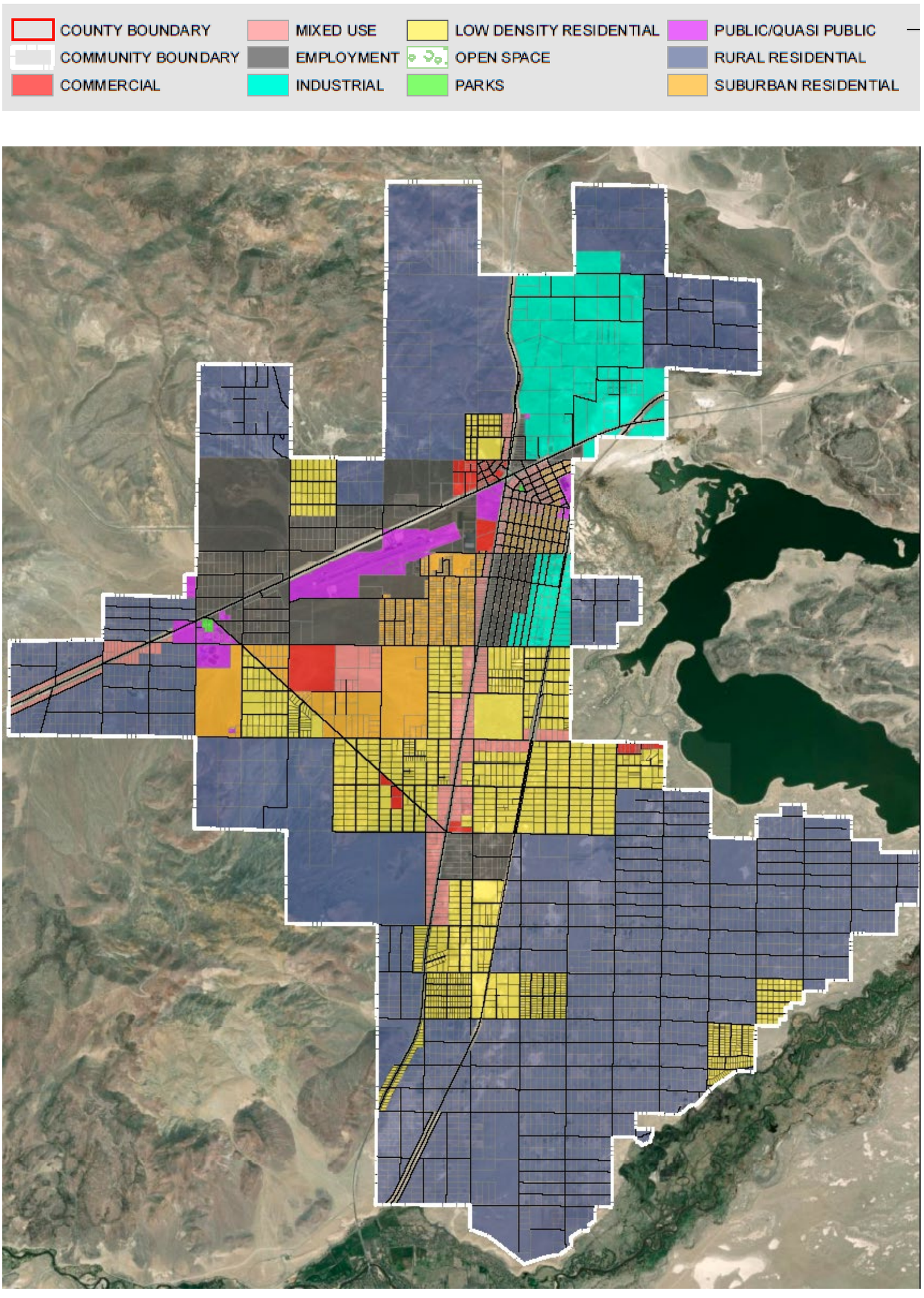
Planning Commission

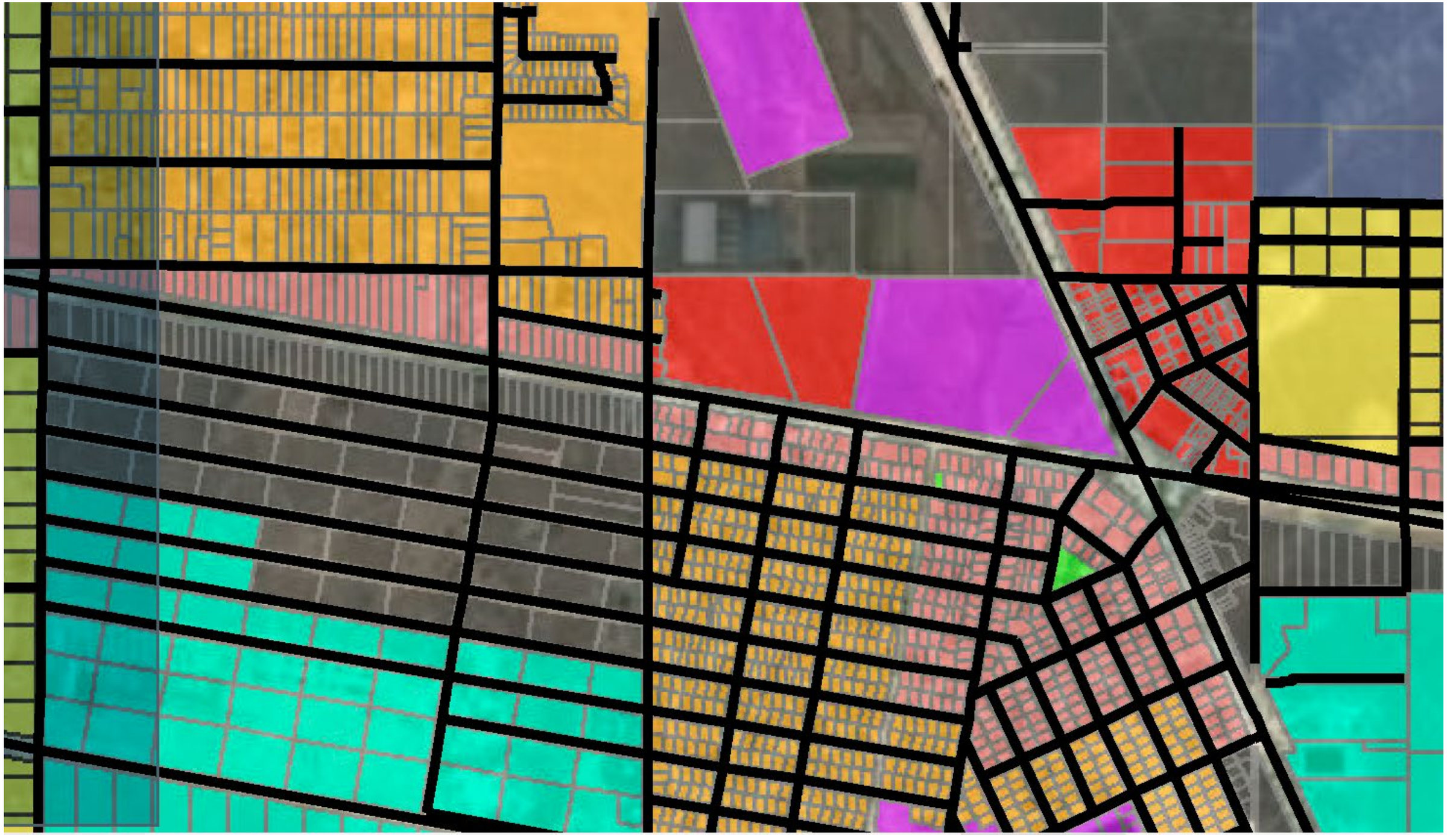
- At the November 14, 2023 Planning Commission Meeting, **the application was approved unanimously** (7 Ayes; 0 Nay; 0 Abstentions) to forward a **recommendation of approval** to the Board of County Commissioners.

- There was discussion by the Commission with regard to the safety of the homes and residents with the properties adjacency to Hwy 95A. The Applicant shared their intent to install a noise/safety barrier (solid wall) at the rear of the properties, abutting Highway 95A.

Questions for Staff




COUNTY BOUNDARY
COMMUNITY BOUNDARY
COMMERCIAL
MIXED USE
EMPLOYMENT
INDUSTRIAL
LOW DENSITY RESIDENTIAL
OPEN SPACE
PARKS
PUBLIC/QUASI PUBLIC
RURAL RESIDENTIAL
SUBURBAN RESIDENTIAL


COUNTY BOUNDARY
COMMUNITY BOUNDARY
COMMERCIAL
MIXED USE
EMPLOYMENT
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LOW DENSITY RESIDENTIAL
OPEN SPACE
PARKS
PUBLIC/QUASI PUBLIC
RURAL RESIDENTIAL
SUBURBAN RESIDENTIAL

	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. *Primary Uses:* Employment facilities, such as corporate offices, medical facilities and offices, research and development, service and light industrial facilities, and educational facilities. *Secondary Uses:* 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.

Mixed Use	Some Commercial zoning districts along the highway **TC** *(TC-H, -R, -S)*	**CMU** *(CMU-H, -R, -S)* **HMU** *(HMU-H, -R, -S)* **RMU** *(RMU-H, -R, -S)* **EMU** **PUD *** Some Commercial and Residential zoning districts may be appropriate if the intent of the Mixed Use designation is met in the vicinity.	*Rural Districts:* Density/intensity based on coverage and building height. Typical coverage of between 35% and 50%. *Suburban Districts:* Typical floor area ratios (FARs) of between 0.35 and 3.	*Historic Districts:* Unique historic character and importance to the community. Historic land use pattern with mixed commercial and residential uses arranged horizontally and/or vertically. *Rural Districts:* Traditional settlement land use pattern with mixed commercial and residential uses arranged horizontally and/or vertically. Typically neighborhood commercial and associated uses; may have both single-family and multi-family residential uses. *Suburban Districts:* Traditional downtown fabric with a compact, pedestrian-friendly scale. The category is intended to allow for and encourage a broader mix of uses than exist today, including high-density residential. It is also intended to allow for vertical or horizontal mix of uses on sites. Mixed use designations are generally located along major transportation corridors. Mixed Use development should be located where it may be readily served by existing or future transit and should be designed with clear pedestrian connections to transit stops and surrounding development.	*Rural Districts:* Mixed neighborhood commercial and medium density residential (multi-family) *Suburban Districts*: Typical floor area ratios (FARs) of between 0. 5 and 1.5 *Primary Uses:* Commercial retail and offices. In Rural districts: Mixed neighborhood commercial and medium density single family residential. In suburbanizing districts: Commercial and mixed-use residential, including live-work units, based on neighborhood character, access and infrastructure. *Secondary Uses:* Commercial uses that are low traffic generators, open space, parks, trails, schools, places of worship, other public uses, and senior housing facilities are also appropriate.

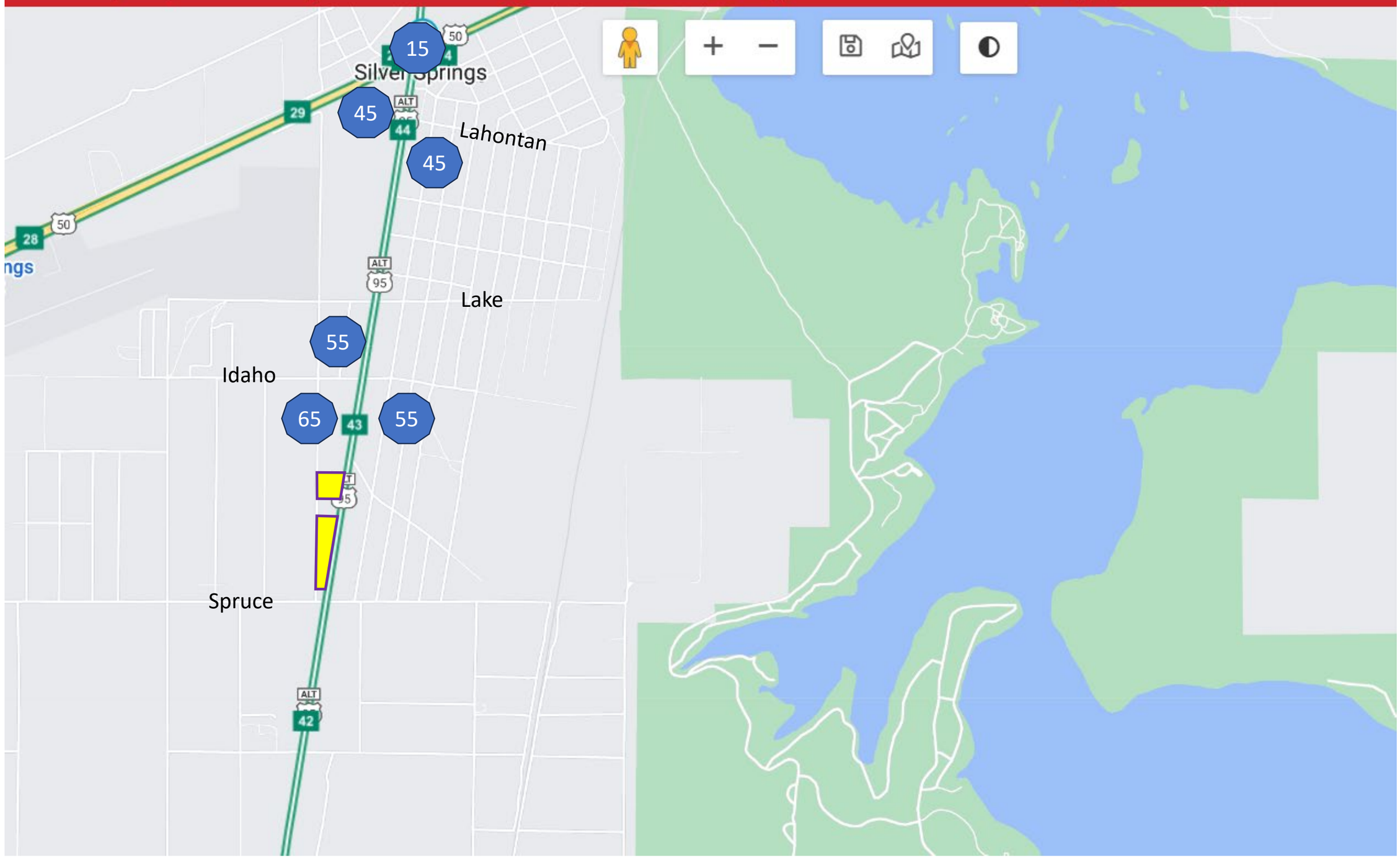

018-551-09
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018-553-01
018-553-02
015-141-02
015-141-03
018-083-02
018-091-03
018-092-01
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018-102-01
018-093-16
018-152-14
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018-233-12

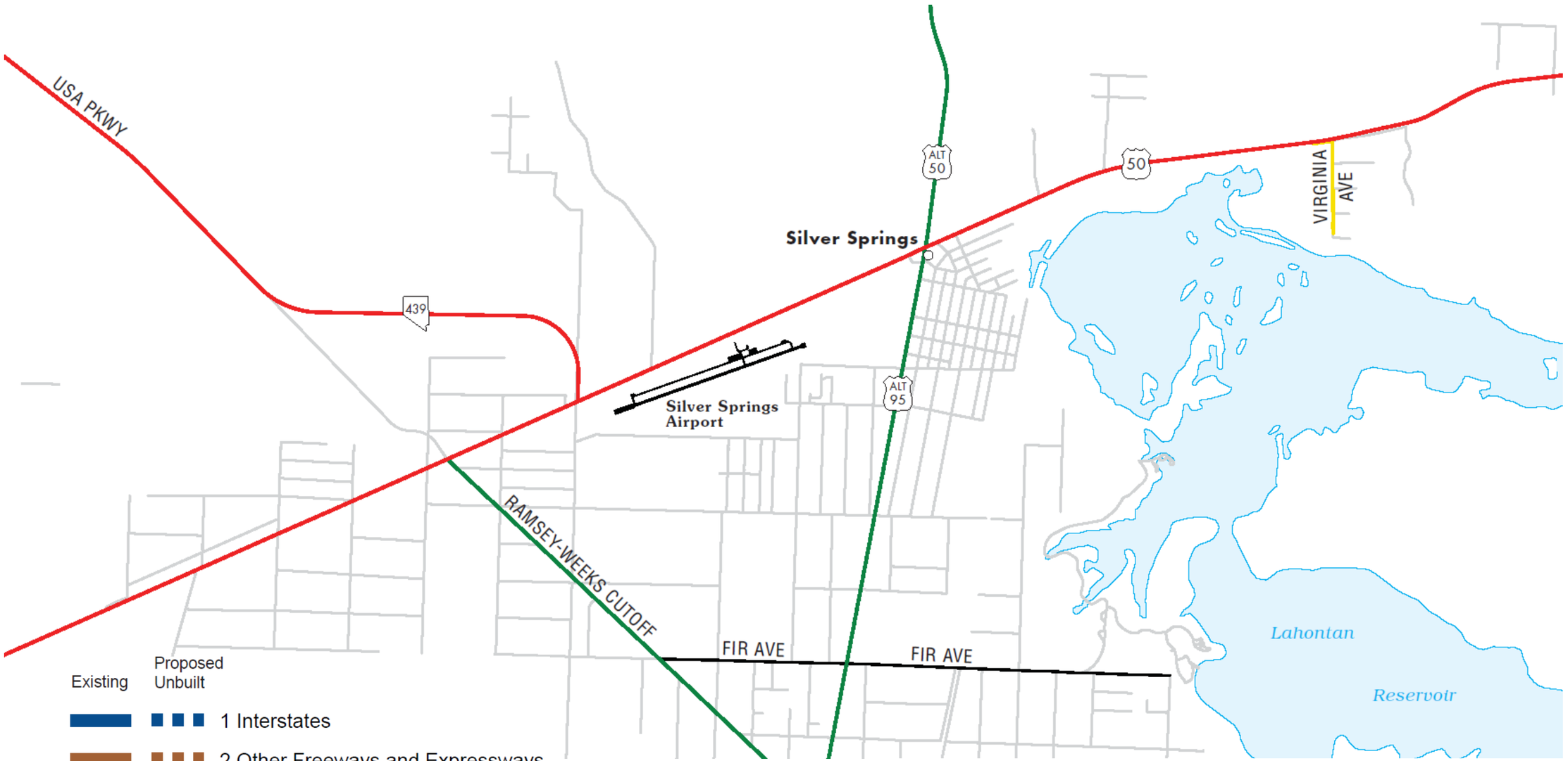


NEVADA DOT
SAFE AND CONNECTED

Map | Text Report | My 511

oad Closed (Crash) - SR592/Flamingo Rd in both directions between Hotel Rio Dr. & Hugh Hefner Dr/Gold coast in Las Vegas, Clark County Nevada. Use othe





Existing / Proposed Unbuilt

- 1 Interstates
- 2 Other Freeways and Expressways
- 3 Other Principal Arterials
- 4 Minor Arterials
- 5 Major Collectors
- 6 Minor Collectors
- 7 Local Roads
- Urban Limits
- State Line
- County Lines

ROADWAY FUNCTIONAL CLASSIFICATION

SILVER SPRINGS AND STAGECOACH

LYON COUNTY, NEVADA

Figure 3-4: Roadway Class Three, Other Principal Arterials



Figure 3-5: Roadway Class Four, Minor Arterials



US 93 near Crystal Springs (Minor Arterial)

3.2.3.2. Design Standards

1. The design of these roadways should, in general, allow speed limits of 35 to 45 mph in urban areas, 50 to 55 mph in suburban areas, and 60 to 70 mph in rural areas.

3.2.4.2. Design Standards

1. The design of these roadways should, in general, allow speed limits of 35 to 45 mph in urban areas and 50 to 55 mph in suburban areas.

3.2.3.2. Design Standards

1. The design of these roadways should, in general, allow speed limits of 35 to 45 mph in urban areas, 50 to 55 mph in suburban areas, and 60 to 70 mph in rural areas.
2. Where the traffic volume on the principal arterials exceeds an AADT of 24,000, access connections may be limited to right-in, right-out only unless the location of the connection is suitable for signalization [1].
3. Private, direct access will be permitted only when the property has no other reasonable access[4] available. Generally, only one access will be allowed per parcel or for contiguous parcels under one ownership. The access permit will contain the provision that the access will be closed when an alternative, reasonable access becomes available or if the access is no longer necessary. If known, the date of closure shall be specified.
4. Any permitted private, direct access will be for right turns only unless:
   a. the access is in a clearly rural area with little potential for inclusion in an urban area; or
   b. the out of direction travel would be more than 2 miles; and
   c. the intersection does not have the potential for signalization, and the left turn(s) will not create unreasonable congestion problems, and alternatives to the left turn would cause unacceptable traffic operations and safety problems on the general street system; and
   d. the intersection conforms to the relevant spacing standards (Chapter Four); and
   e. an intersection can be designed and constructed that, in the opinion of the Department, meets all safety standards and requirements and does not interfere with access to nearby property or with public way intersections.
5. No additional access will be allowed if existing parcels or contiguous parcels under one ownership or control are split or divided. All access to the new parcels will be provided internally from the existing access. With the approval of the Department, the primary access may be relocated if such relocation will be beneficial to the highway and remain in conformance with these standards. In accordance with the provisions of Section 2.3.1, changes in property usage or traffic volumes may require reconstruction, improvements, or relocation.
6. Because intersecting public ways may in time meet signalization warrants, all intersecting streets, roads, and highways that have the potential for signalization must meet the signalized intersection spacing standards (Chapter Four). Any access that has the potential for signalization but does not meet the signalized intersection spacing or bandwidth requirements will be limited to right turns only.
7. Medians may be installed to separate opposing traffic flows and to control left turning movements.
8. Turning lanes and access points near at-grade railroad crossings will be designed and located so that they do not interfere with traffic movements across the railroad crossing.

[4] In construing reasonable access, the Department will consider whether access to the site would be substantially diminished. If alternative access is available via the local street system, the criteria for reasonable access is generally considered satisfied.

9. Livestock (and wildlife) control will be utilized in rural areas.

10. Traffic signals should be programmed to coincide with the posted speed limit and have a progression bandwidth of at least 45 percent.

11. Refer to the Department's Intersection Control Evaluation methodology to identify the best intersection control at accesses along roadways of this class.

Table 3-1: Roadway Classification

Class	Roadway Classification	Function	General Design Features
1	Interstate Freeways	• Primary: Interregional and interstate travel • Secondary: Intrastate; intercity; and, in large urban areas, intracity travel	• Multilane with median • Interchange access
2	Other Freeways	• Interregional; interstate; intrastate; intercity; and, in large urban areas, intracity travel	• Multilane with median • Interchange access
	Expressways	• Intrastate, intercity, and intracity travel • In some cases, provide interregional and interstate travel	• Multilane with median • Very limited number of at-grade intersections • High volume intersections may require an interchange
3	Other Principal Arterials	• Primary: Through movement (intercity and intracity travel in urban areas and mobility in rural areas) • Secondary: Land access	• May be multilane; should have median • Multilane arterials should have a median wide enough to accommodate dual left turns of signalized intersections
4	Minor Arterials	• Primary: Through movement (Intercity, intracity, and intercommunity travel) • Secondary: Land access	• May be multilane; should have median
5	Major Collectors	• Balance traffic movement with land access • Serve intracounty travel (rather than statewide)	• May be multilane • May have median or Two-Way Left-Turn Lane (TWLTL)
6	Minor Collectors	• Balance traffic movement with land access • Serve intracounty travel (rather than statewide)	• May be multilane • May have median or TWLTL
7	Frontage/ Service/Local Roads	• Primary: Land access (serve the origin or destination end of the trip) • Secondary: Through movement	• Generally two lanes

3.3.3. Major Commercial Connections

3.3.3.1. Characteristics

This type of connection serves commercial or residential subdivision properties that generate 500 or more vehicles per day.

3.3.3.2. Design Standards

1. Design of this type of connection shall conform to the standards provided in the Department's Standard Plans [12] and Section 4.6 of these Access Management System and Standards. At the discretion of the District Engineer or designee, the design of this type of connection may be required to conform to appropriate local standards in lieu of the Department's Standard Plans.
2. A traffic impact study may be required for this type of connection, as explained in Section 2.2.2.
3. This type of connections shall be designed and plans shall be prepared by a Nevada Licensed Professional Engineer.
4. Access in areas with curb and gutter will be a "Multi-Family, Commercial & Industrial Driveway" (see Department's Standard Plans [12]).
5. Access in areas without curb and gutter shall be a "Type 4 Approach" (see Department's Standard Plans [12]). If the access is in a developing area, the developer may be required to widen the roadway to the ultimate design width and/or install curb, gutter, and sidewalk for the length of the property frontage. Where existing paths/sidewalks are adjacent to proposed improvements, they shall be connected for continuity.
6. This type of connection shall be paved, at a minimum, to a point 25 feet beyond the end of the radii and in accordance to the Department's "Terms and Conditions Relating to Right-of-Way Occupancy Permits" [3] and the Department's Standard Plans [12].

Table 3-2: Types of Access Connections

Type of Connection	Use
Non-commercial	• For access to single-family dwellings • Multiple family dwellings of three or fewer dwelling units • Agricultural land and field access • Emergency gated access
Minor Commercial	• Medium volume generator (fewer than 500 vehicles per day)
Major Commercial	• High volume generators (500 or more vehicles per day) • Provides access to shopping centers, industrial parks, office parks, colleges, residential complexes, and subdivisions, etc.
Public or Private Roads	• New public or private roads or streets

Table 4-1: Access Spacing Standards

Roadway Class	Location/ Posted Speed Limit	Full Access		Limited Access	
		Signalized Intersection Uniform[1] Spacing	Unsignalized Intersection/Roundabout Minimum[2] Spacing	Left-In/Right-In/ Right-out only Minimum[2] Spacing	Right-In/Right-out only[3] Minimum[2] Spacing
1: Interstate Freeways	Urban/ Suburban/ Rural	• Full control of access • Access is available only via grade-separated interchanges • All interchanges must meet public road spacing (1 mile in urban, 2 miles in suburban, and 3 miles in rural areas) and comply with FHWA Policy			
2: Other Freeways	Urban/ Suburban/ Rural	• Full control of access • Access is available only via grade-separated interchanges • All interchanges must meet public road spacing (1 mile in urban, 2 miles in suburban, and 3 miles in rural areas) • Access to federal aid freeways must comply with federal regulations			
2: Expressways	≤ 55 mph	5,280′		5,280′	1,320′
	≥ 60 mph	10,560′			
3: Other Principal Arterials	≤ 35 mph	1,320′		660′	350′
	40-55 mph	2,640′	1,320′	990′	660′
	≥ 60 mph	5,280′	2,640′	1,320′	800′
4: Minor Arterials	≤ 35 mph	1,320′		660′	300′
	≥ 40 mph	2,640′	1,320′		350′ – 600′
5: Major Collectors	≤ 35 mph	1,320′		440′	250′
	≥ 40 mph	2,640′	1,320′	660′	300′ – 500′

Table 4-13: Left-Turn Lane Warrants at Unsignalized Intersections, Two-Lane Roadways in Rural Areas

Turning Volume[1] (vph)	Minimum Directional Volume in the Through Lane[2] (vphpl)			
	≤ 30 mph	35 to 40 mph	45 to 55 mph	≥ 60 mph
< 5	Not Required	May be Required	May be Required	May be Required
5	400	220	120	60
10	240	140	80	40
15	160	100	60	Required
20	120	80	Required	Required
25	100	Required	Required	Required
≥ 26	Required	Required	Required	Required

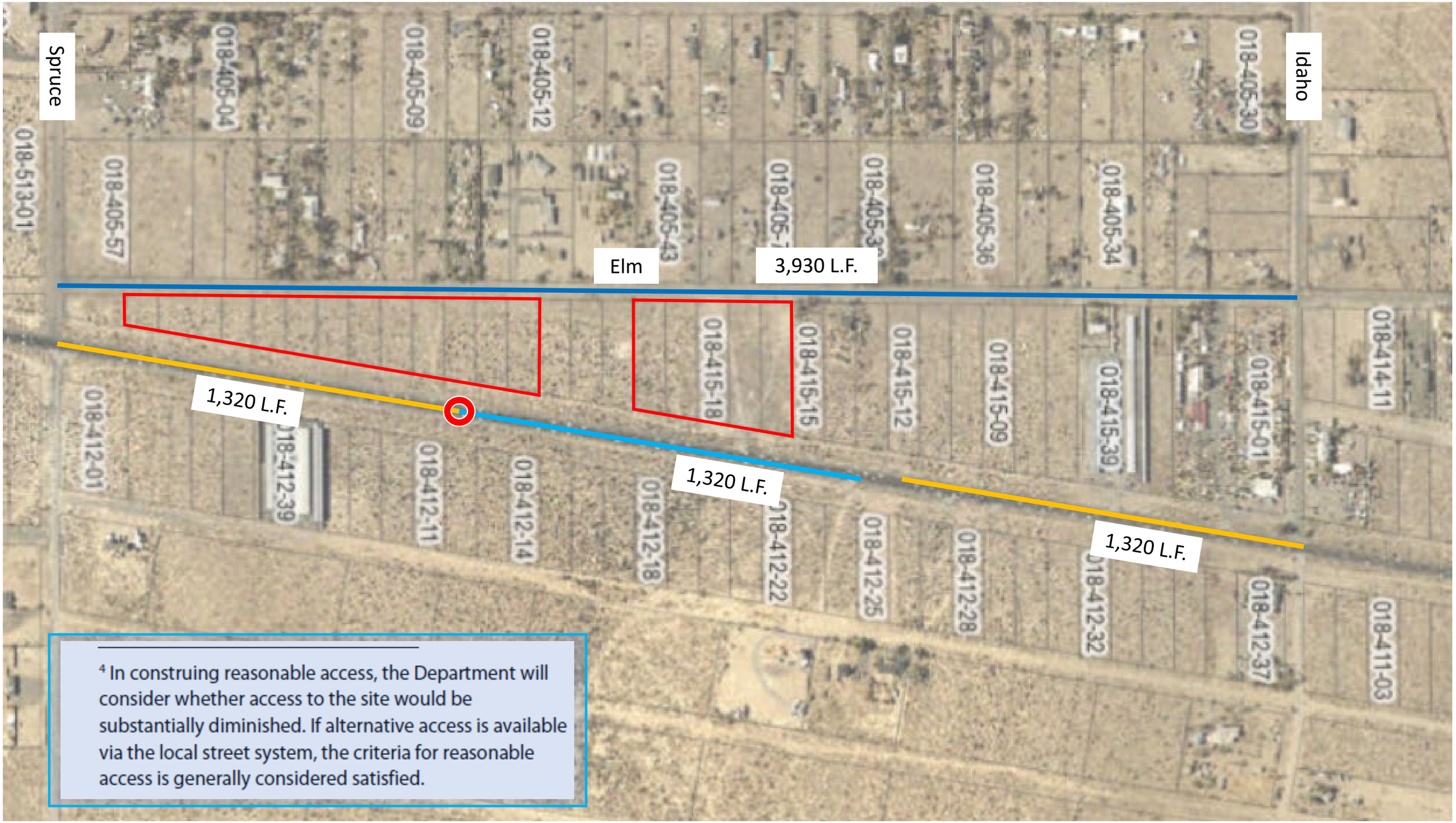
Notes:

Turn lane is warranted if the design year volumes are equal to or greater than the volumes provided above.

Posted speed (mph) of the roadway should be used in the warrant analysis.

[1] Use linear interpolation for turning volumes between 5 and 25 vph.

[2] The directional volume is the volume in the same direction as served by the auxiliary lane. The directional volume in the through lane includes through vehicles and turning vehicles.



[4] In construing reasonable access, the Department will consider whether access to the site would be substantially diminished. If alternative access is available via the local street system, the criteria for reasonable access is generally considered satisfied.

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

STAFF REPORT AND PLANNING COMMISSION ACTION

PLZ-2023-055: Request for a Master Plan Amendment from Michael A. and Claudia C. Casey to amend the Master Plan designation from Mixed-Use (MU) to Suburban Residential on 17 parcels with a total of 10.35-acres generally located on the west side of US 95A between Idaho Avenue and Spruce Avenue in Silver Springs (APNs 018-415-16, -17, -18, -19, -20; 018-415-24, -25, -26, -27, -28, -29, -30, -31, -32, -33, -34, -35) PLZ-2023-055.

Proposed Action: Master Plan Amendment from MU (Mixed-Use) to Suburban Residential.

Meeting Date: December 7, 2023

Property Owners: Michael A. and Claudia C. Casey

Applicant: Michael A. and Claudia C. Casey

Location: Silver Springs

Parcel Number: APNs: 018-415-16, -17, -18, -19, -20; 018-415-24, -25, -26, -27, -28, -29, -30, -31, -32, -33, -34, -35

Parcel Size: 10.35 acres

Current Master Plan: MU (Mixed-Use)

Proposed Master Plan: SR (Suburban Residential)

Current Zoning: C-1 (Limited Commercial - Title 10) and C-2 (General Commercial – Title 10)

Proposed Zoning: SR – 1/2 (Suburban Residential – 1/2 acre Minimum – Title 15)

Flood Zone(s): X Unshaded per FIRM 32019C0213E

Case Planner: Lisa Nash

REQUEST

The Applicant requests a Master Plan Amendment to change the designation from Mixed-Use to Suburban Residential on 17 parcels totaling 10.35 acres in Silver Springs. The stated future intent of the proposed Master Plan Amendment and the subsequent Zoning Map Amendment is to facilitate the subdivision of the parcel into 16 parcels of a minimum one-half acres in size for suburban residential use.

PLANNING COMMISSION RECOMMENDATION

At the November 14, 2023 Planning Commission meeting, by a unanimous vote (7 Ayes; 0 Nay; 0 Abstentions), the Planning Commission motioned to forward a recommendation of approval to the Board of County Commissioners for the request for a Master Plan Amendment. There was discussion by the Commission with regard to the safety of the homes and residents with the properties adjacency to Hwy 95A. The Applicant shared their intent to install a noise/safety barrier (solid wall) at the rear of the properties, abutting Highway 95A.

STAFF RECOMMENDATION

Staff recommends that the Board of County Commissioners approve the Master Plan Amendment request based on the Findings as listed in the staff report as the request would be in general conformance with 2020 Master Plan goals and policies and would be compatible with similarly designated parcels adjacent to the subject parcels.

A Master Plan Amendment request cannot be conditioned.

RECOMMENDED MOTION: APPROVAL

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

The Board of County Commissioners finds that:

A. The applicant has demonstrated that the amendment is in substantial compliance with and promotes the master plan goals, objectives and actions;

B. The proposed amendment is compatible with the existing or master planned adjacent land uses, and reflects a logical change in land uses;

C. The proposed amendment has demonstrated and responds to changed conditions or further studies that have occurred since the master plan was adopted by the Board, and the requested amendment represents a more desirable utilization of land;

D. The proposed amendment will not adversely affect the implementation of the master plan goals, objectives and actions, and will not adversely impact the public health, safety or welfare; and

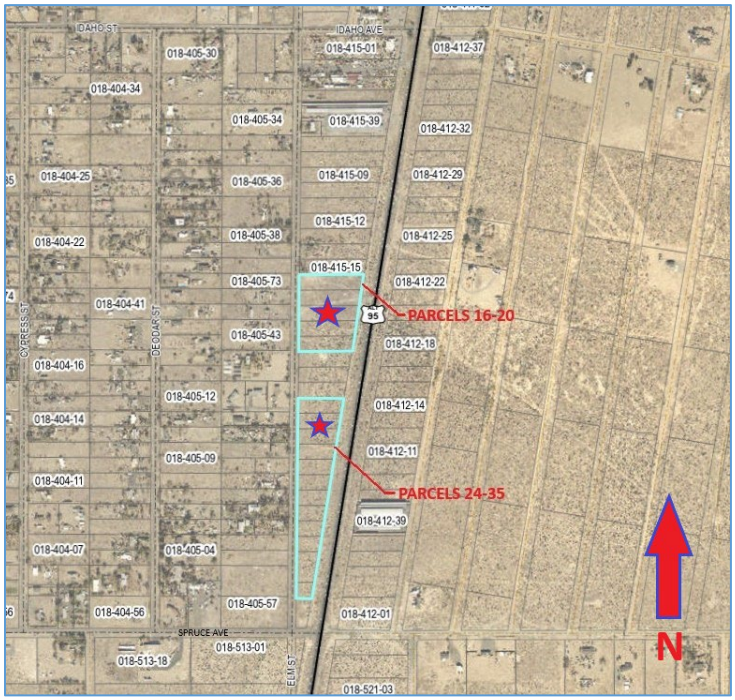
E. The proposed amendment will promote the desired pattern for the orderly physical growth of the County, allows infrastructure to be extended in efficient increments and patterns, maintains relatively compact development patterns, and guides development of the County based on the consideration of natural resources, the physical geography and the efficient expenditure of funds for public services.

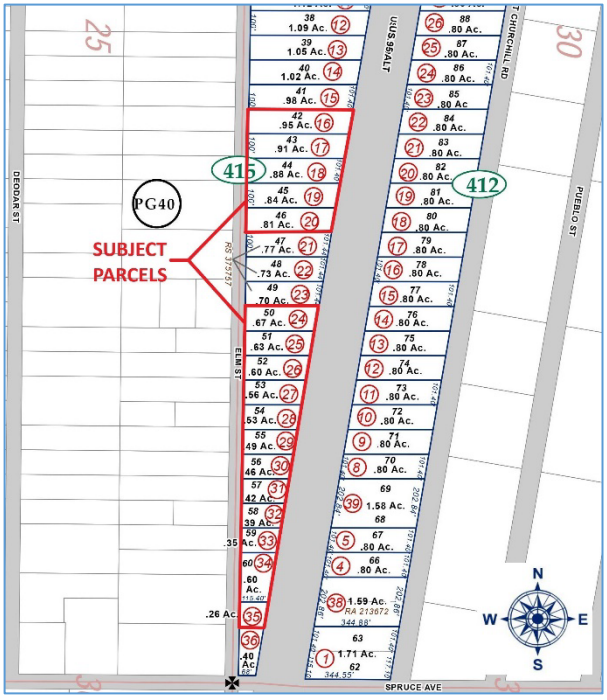
Based on the aforementioned Findings, I move that the Board of County Commissioners approve the Master Plan Amendment request by Michael A. and Claudia C. Casey to amend the Master Plan designation Mixed-Use to Suburban Residential on 17 parcels totaling 10.35 acres in Silver Springs (APNs 018-415-16, -17, -18, -19, -20; 018-415-24, -25, -26, -27, -28, -29, -30, -31, -32, -33, -34, -35) PLZ-2023-055.

BACKGROUND INFORMATION

Location, Size, Topography

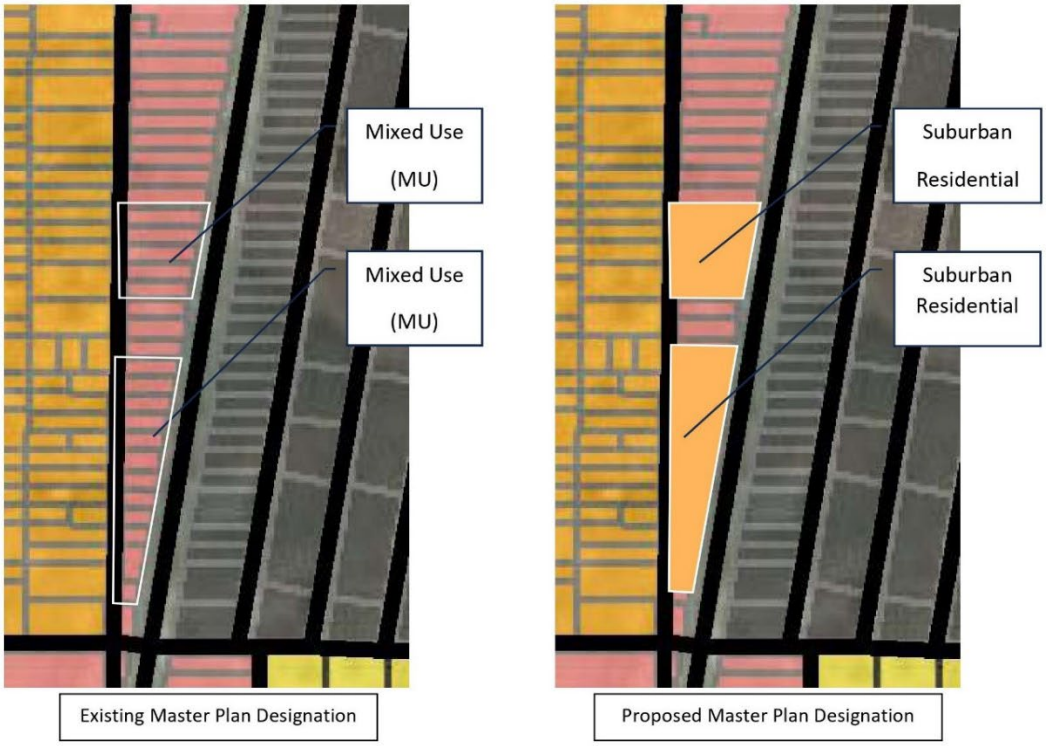
The subject parcels are located in the Silver Springs Suburban Character District, to the east of Elm Street, south of Idaho Avenue, and north of Spruce Avenue in Silver Springs (APNs 018-415-16, -17, -18, -19, -20; 018-415-24, -25, -26, -27, -28, -29, -30, -31, -32, -33, -34, -35). The parcels are a total of 10.35 acres in size lots ranging in size from 0.26 acres to 0.95 acres, and are flat as are the parcels surrounding it. The maps below show the location of the properties and the properties from the County Assessor's records.





Master Plan and Zoning

The current Master Plan designation for the site is Mixed-Use, which the applicant requests to change to Suburban Residential. Should the Master Plan Amendment be approved, the proposed zoning request is to rezone the parcels from the Title 10 zoning district of C-1 (Limited Commercial – Title 10) and C-2 (General Commercial – Title 10) to the Title 15 districts of SR-1/2 (Suburban Residential – 1/2 acre Minimum). The rezoning application is addressed in a separate staff report (PLZ-2023-056). The images provided by the applicant on the following page show the current Master Plan designation and the proposed Master Plan designation.



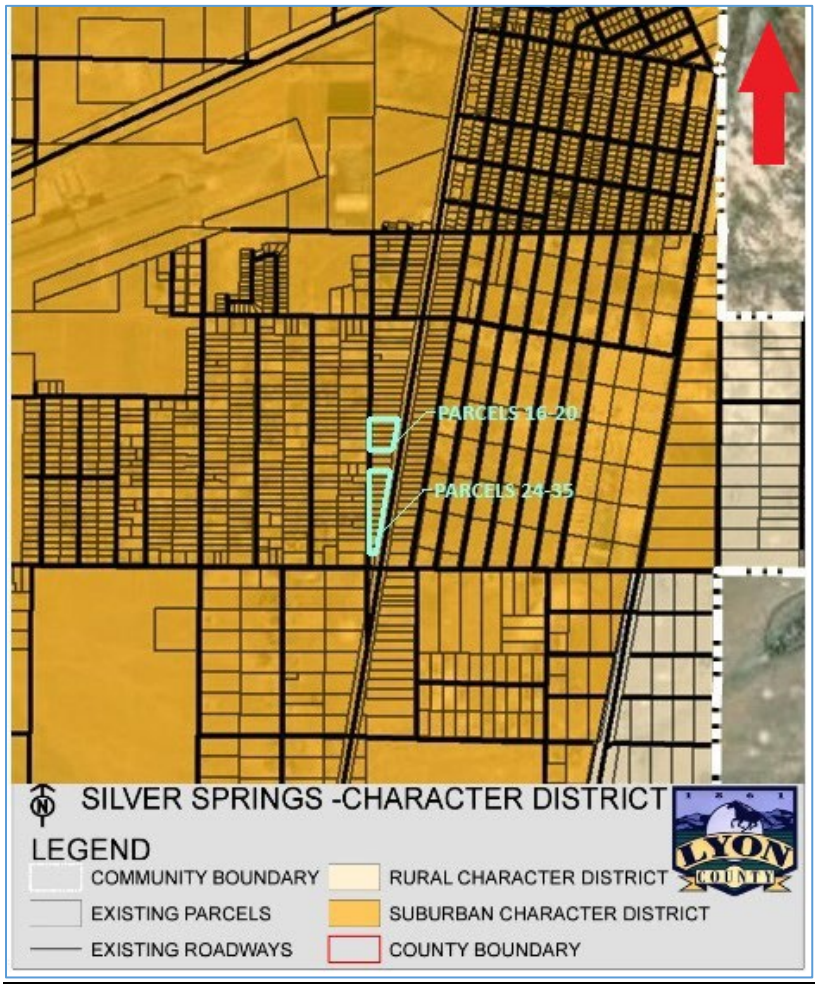
2020 Master Plan – Table 2: Land Use Table

The images below are from Chapter 3 of the Master Plan, *Land Use, Economy and Growth*. The table describes the intended uses under the Suburban Residential designations and the zoning districts that are compatible with those Master Plan designations. The applicant intends to request a zone change to facilitate future residential uses under a zoning designation of SR-1/2 (Title 15). The requested Master Plan Amendment from Mixed Use to Suburban Residential would allow for single-family suburban residential use.

	Title 10 Zoning *(Consistent Title 15 Designation)*	Title 15 Zoning	Density Range/Size	Description/Characteristics	Examples of Uses
Suburban Residential	**E-2** *(SR-1/2)* **E-1** *(SR-12000)*	**SR-1/2** **SR-12000** **SR-12000-H** **PUD ***	1 DU per 12,000 sf to <1 acre (>1-<4 DU/acre)	Medium-density residential neighborhoods should contain a mix of housing types in a neighborhood setting. Each neighborhood should have a recognizable center. Centers will vary in size and composition, but may include a combination of higher-density residential uses, parks and/or recreation facilities, or civic uses. Neighborhoods should contain connective open spaces that unify the development and provide transitions between other areas and uses.	Single-family residences and duplexes and attached housing.
	NR-3 *(SR-9000)* **NR-1** *(NR)* **NR-2** *(MFR)* **MHP** *(No Consistent District)*	**SR-9000** **SR-9000-H** **NR** **NR-H** **MFR** **PUD ***	5 to 18 Dwelling Units per acre	High density residential is typically found in suburbanizing districts. High Density Residential should be located near major transportation facilities, near commercial uses, or civic centers and near parks.	Apartments, duplexes, fourplexes, condominiums and townhomes. Single Family Residential detached units at 5 to 10 dwelling units per acre.

Suburban Character District

The subject parcel is located in the Silver Springs Suburban Character District. Suburban Character 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.



STAFF REVIEW AND COMMENTS

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

FINDINGS FOR REVIEWING A MASTER PLAN AMENDMENT REQUEST

Chapter 15.210.03 of Lyon County Code states that when considering approval of a Master Plan Amendment, five Findings must be considered and supported by a statement of evidence, facts and conclusions. Staff has included those five Findings in **bold** type below. Each Finding is listed with the applicant's response in *italics* and then staff's comments. Underlined sections of the Applicant's response are especially pertinent to the Staff Comment that follows.

Finding A: The applicant has demonstrated that the amendment is in substantial compliance with and promotes the master plan goals, objectives and actions.

Applicant's Response

The 2020 Lyon County Master Plan (Lyon County Master Plan) states that "Over 90 percent of the county is zoned for Rural Residential" (2020 Lyon County Master Plan, p. 2.3, "Key Facts and Trends"). Master Plans, as explained in Chapter 1 of the 2020 Plan, are advisory—and serve as a "general policy document to guide the physical development of the county." The goals, policies, and strategies outlined in the Master Plan provide guidance for the reviewing parties to weigh. The proposed land use for this application, Suburban Residential, would be matched with SR- ½, SR-12000 and SR-9000 to be consistent with adjacent, existing development to the west and north.

This zoning will not have an increase on the existing platted density for suburban development and proposed to be consistent with existing lot sizes and applicable zoning. In addition, the SR-9000 and SR-12000 zoned lots will maintain the same setbacks as prescribed for SR- ½. Existing properties to the west, further from US 95 A have densities greater than this even though further from the main transportation core, which does not match planned development (that is, less dense as distance from main center increases).

The applicant has dedicated banked water for the development of the lots as residential and is currently paying towards the sanitary sewer hookups that have been provided to each individual lot, which demonstrates that County's understanding of the land being developed as originally planned, that is, as residential lots.

"Chapter 2 of the 2020 Master Plan Update: Communities
In Chapter 2 of the Lyon County Master Plan, each of the Lyon County communities and their land use goals are described. The Silver Springs Community, where these existing parcels reside, includes goals especially relevant in Silver Springs:

***Goal LU 2:** Services Coordinated with Growth*
Urban and suburban development will locate in Suburban Districts that can be served by municipal water and sewer and that are close to other municipal services and not "leapfrog" into rural areas. Conversely, low-density rural development should not occur in existing or planned suburban areas."

The proposed project meets this goal by providing needed residential services with existing infrastructure in place and for many lots, payments for hook ups.

***"Goal FS 1:** Provision for Services*
Policy FS 1.1 Location of New Development
New 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 proposed project meets this goal by providing needed residential services with existing infrastructure in place and for many lots, payments for hook ups.

Staff Comment

The proposed Master Plan Amendment would facilitate the development of the subject property in a manner consistent with the Master Plan and existing suburban residential and commercial activities. The proposed amendment does meet goals of the Master Plan as the applicant demonstrated above. Additionally, the Master Plan Community Description for Silver Springs (Chapter 2, page 15) states "Some areas along the highway corridors may require Master Plan amendments from Industrial districts in order to accommodate any increases in residential use." This development does fit within this description. With these items, Staff feels this Finding is met.

Finding B: The proposed amendment is compatible with the existing or master planned adjacent land uses, and reflects a logical change in land uses.

Applicant's Response

This zoning will match the parcels to the west and how the property was originally platted: to have access off Elm Street for residential use in lieu of access of US 95 A, which would be necessitated for existing commercial zoning and Mixed Use Master Plan Designation. The current speed limit sign for traffic traveling in the southbound lane (which would abut the commercial frontage) is not currently a logical or feasible speed to enter a commercial development. It is believed US 95 A as designed and managed by the Nevada Department of Transportation (NDOT) is not intended for access via directly from US 95 A to a commercial development with these speeds.

In addition, for further neighborhood "feeling" of Silver Springs Number 3, the rear of the lots are proposed to have a solid sound wall (CMU or Precast wall) to isolate the residential character from the highway and traffic noise.

Staff Comment

The subject properties are adjacent to already developed residential properties, so the proposed Master Plan Amendment to facilitate a rezoning would not introduce a new or incompatible use to the area. The smaller parcels would, at a minimum size of ½ acre, be of a size similar to that of some neighboring residential parcels to the west and would maintain a consistent development pattern.

The change in land use designation would create a gap of three lots between the north and south parcels and the southernmost parcel on the block (APNs 018-415-21, -22, -23, and -36) remaining as Mixed Use Master Plan designations surrounded by the proposed Suburban Residential Master Plan designation. The three properties in the gap and the property on the south end of the block will not have any change to their Master Plan designations. The requirement for possible Conditional Use Permits (CUP) due to certain commercial uses (like petroleum sales) adjacent to a residential area already exists due to the presence of residential zoning to the west side of the properties. This MPA would not impose any additional requirements beyond what currently exists.

Staff feels this Finding is met.

Finding C: The proposed amendment has demonstrated and responds to changed conditions or further studies that have occurred since the master plan was adopted by the Board, and the requested amendment represents a more desirable utilization of land.

Applicant's Response

This layout of the Silver Springs Unit Number 3 was to have access via Elm Street, and not via US 95 A, which has speed limits of 65 mph. Many parcels that are currently developed in existing commercially zoned properties and closer to the Silver Stage "core", that is round about, are either left in disrepair and out of business, or not developed at all. By asking for properties to be developed the same uses, when either further from the "core", is not supported by the market or the "number of roof tops" to support more services when existing ones are defunct or not be fully utilized.

In addition, per Page 3.16 of the Master Plan, "Mixed Use development should be located where it may be readily served by existing or future transit and should be designed with clear pedestrian connections to transit stops and surrounding development." --- There currently is no pedestrian corridor (sidewalks or paths) along US 95 A and this area is not considered safe for pedestrians due to the signed speed limits.

Staff Comment

As noted previously, the proposed master plan land use designation amendment to Suburban Residential would be compatible with the existing adjacent land uses to the west of the subject parcels, but would create gaps with three lots between the north and south parcels and the southernmost parcel on the block (APNs 018-415-21, -22, -23, and -36). By changing the land use designation for these parcels, the gaps would not significantly impact development of the Mixed Use properties.

The current demand for any form of housing (particularly more suburban housing connected to the municipal water and sewer services) is strong and this proposed amendment would assist in providing additional housing opportunities which would increase the need for commercial development. The lack of commercial development in the area of the subject parcels does indicate there are insufficient numbers of residential dwelling units in the Silver Springs community which would drive more commercial development in the community (i.e., "rooftops bring retail"). This need does reflect a change in thought from what was considered and adopted in the 2020 Comprehensive Master Plan. This Finding is met.

Finding D: The proposed amendment will not adversely affect the implementation of the master plan goals, objectives and actions, and will not adversely impact the public health, safety or welfare.

Applicant's Response

The current layout will not have an adverse effect on the implementation of the master plan goals as currently existing "Mixed Use" Master Planned Areas that are commercially zoned are not being developed closer to the "core" of Silver Springs, which would be the natural market progression. In addition, areas that are currently defunct in these areas can be redeveloped to meet these needs in lieu of "leap frogging" to undeveloped areas further from the "core".

The proposed amendment will not have an adverse impact on the public health, safety and welfare. It will provide economies of location due to its proximity / adjacency to existing infrastructure and fire services

Staff Comment

By facilitating uses such as residential development on smaller parcels, the proposed Master Plan Amendment would continue the development pattern that is present to the west of the properties. It would not introduce a new

use that is incompatible with the existing area or with the Master Plan designations of other nearby properties. This Finding is met.

In regards to safety of the development, the applicant stated in Finding B above, "the rear of the lots are proposed to have a solid sound wall (CMU or Precast wall) to isolate the residential character from the highway and traffic noise."

This would provide a suitable obstacle that protects residential use of the property and prohibits the future residents from accessing directly onto US 95A. All accesses to the subject parcels will be on Elm Street. As such, the applicants are aware that all recommendations and requirements by NDOT must be addressed in any future applications if the master plan amendment application for the subject parcels is approved. It should be noted that neither a master plan amendment nor a rezoning application can be conditional. This Finding is met

Finding E: The proposed amendment will promote the desired pattern for the orderly physical growth of the County, allows infrastructure to be extended in efficient increments and patterns, maintains relatively compact development patterns, and guides development of the County based on the consideration of natural resources, the physical geography and the efficient expenditure of funds for public services.

Applicant's Response

Chapter 3 of the 2020 Master Plan Update: Land Use, Economy and Growth

In Chapter 3 of the Lyon County Master Plan, it is stated that Lyon County will grow in an orderly fashion, concentrating development within appropriately designated communities, maintaining the diversity characterized by its settlement patterns and landscapes, providing jobs as well as housing, and sustaining quality public services and facilities.

"Goal LU 1: Orderly Growth Patterns

Policy FS 1.1 Location of New Development

Direct and manage development in the county so that it is orderly and fiscally responsible."

The proposed MPA and ZMA will facilitate a fiscally responsible managed development by utilizing existing infrastructure designed and sized for residential development with close proximity to services and provide more "roof tops" to support the patronage of existing commercially zoned parcels closer to the "core" that are either currently not developed or defunct.

"Goal LU 2: Services Coordinated with Growth

Policy LU 2.1 1.1 Residential Development in Areas with Services

Urban and suburban development will locate in Suburban Districts that can be served by municipal water and sewer and that are close to other municipal services and not "leapfrog" into rural areas. Conversely, low-density rural development should not occur in existing or planned suburban areas."

The proposed MPA and ZMA will bring the proposed properties back to their original and initial intent: residential development, which is currently needed in the area and will help support commercial development closer to the "core" with more "roof tops" to increase patronage / customers.

"Strategies:

• Ensure that plans are in place for required services to occur concurrently with all proposed development."

The proposed MPA and ZMA will ensure this.

"Do not approve new development if it will result in an unacceptable reduction of service levels for infrastructure. Appropriate mitigation may be provided with construction or through proportionately levied impact fees or other such mechanisms to prevent or offset a reduction of service levels."

The proposed MPA and ZMA will not reduce current levels of service. Should the parcels stay as "Mixed Use" and commercially zoned, the development as such would have a significant impact on NDOT's managed US 95 A transportation thoroughfare and will may not be serviced due its Access Management Plan.

Chapter 7 of the 2020 Master Plan Update: Public Facilities and Services

"Goal FS 1: Provision of Services

Municipal water and sewer systems will be expanded only in areas where they are cost effective, and with preparation of a Utilities Master Plan.

Policy FS 1.1: Location of New Development

New 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 proposed MPA and ZMA will facilitate a fiscally responsible managed development by utilizing existing infrastructure designed and sized for residential development with close proximity to services and provide more "roof tops" to support the patronage of existing commercially zoned parcels closer to the "core" that are either currently not developed or defunct.

Staff Comment

As the proposed parcels are adjacent to other similarly designated suburban residential parcels, it would not result in a development that is incompatible with surrounding uses. It would be served by existing infrastructure and would not introduce a significant new need for public services that are not already provided to existing residents in the area.

The application materials state that the proposed amendment would support a more desirable pattern of growth and would provide "roof tops" to support future commercial development. The basis of this statement is that the site has been zoned for commercial development for quite some time and almost all of the necessary infrastructure, access, improvements are existing. And yet, no commercial development has occurred within this area of Silver Springs for decades. This indicates to the property owner that the commercial zoning and the MU land use designation are not the best use for the subject parcels and thus should be converted to a use that is more in-demand (residential). This Finding is met.

Alternatives to Approval

Alternative Motion for Continuance

If the Board of County Commissioners determine that there is insufficient information with which to make a decision on the Master Plan 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 of County Commissioners should make the appropriate findings and move to continue the Public Hearing for the Master Plan 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 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 Master Plan Amendment application.

Based on the aforementioned finding, and with the applicant's concurrence, the Board of County Commissioners continues the Master Plan Amendment request by Michael A. and Claudia C. Casey to amend the Master Plan designation Mixed-Use to Suburban Residential on 17 parcels totaling 10.35 acres in Silver Springs (APNs 018-415-16, -17, -18, -19, -20; 018-415-24, -25, -26, -27, -28, -29, -30, -31, -32, -33, -34, -35) PLZ-2023-055 for ___ days.

Alternative Motion for Denial

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

The Lyon County Board of County Commissioners has considered:

15.210.03: FINDINGS:

When making an approval, modification or denial of an amendment to the master plan land use map or text, the commission and the Board shall, at a minimum, consider each of the following and base approval, modification, or denial based on the combined weight of the findings. Each finding shall be supported by a statement of evidence, facts and conclusions.

A. The applicant has demonstrated that the amendment is in substantial compliance with and promotes the master plan goals, objectives and actions;

B. The proposed amendment is compatible with the existing or master planned adjacent land uses, and reflects a logical change in land uses;

C. The proposed amendment has demonstrated and responds to changed conditions or further studies that have occurred since the master plan was adopted by the Board, and the requested amendment represents a more desirable utilization of land;

D. The proposed amendment will not adversely affect the implementation of the master plan goals, objectives and actions, and will not adversely impact the public health, safety or welfare; and

E. The proposed amendment will promote the desired pattern for the orderly physical growth of the County, allows infrastructure to be extended in efficient increments and patterns, maintains relatively compact development patterns, and guides development of the County based on the consideration of natural resources, the physical geography and the efficient expenditure of funds for public services.

After consideration of the above-listed Findings, the Lyon County Board of Commissioners has determined that the Master Plan Amendment would not be in conformance with the above-listed considerations and denies the Master Plan Amendment request by Michael A. and Claudia C. Casey to amend the Master Plan designation Mixed-Use to Suburban Residential on 17 parcels totaling 10.35 acres in Silver Springs (APNs 018-415-16, -17, -18, -19, -20; 018-415-24, -25, -26, -27, -28, -29, -30, -31, -32, -33, -34, -35) PLZ-2023-055.

Master Plan and Zoning Map Amendment

for

17 Lots – Elm Street

Silver Springs, Nevada



Prepared for:

Michael and Claudia Casey
P.O. Box 5184
Fallon, NV 89407

August 14, 2023

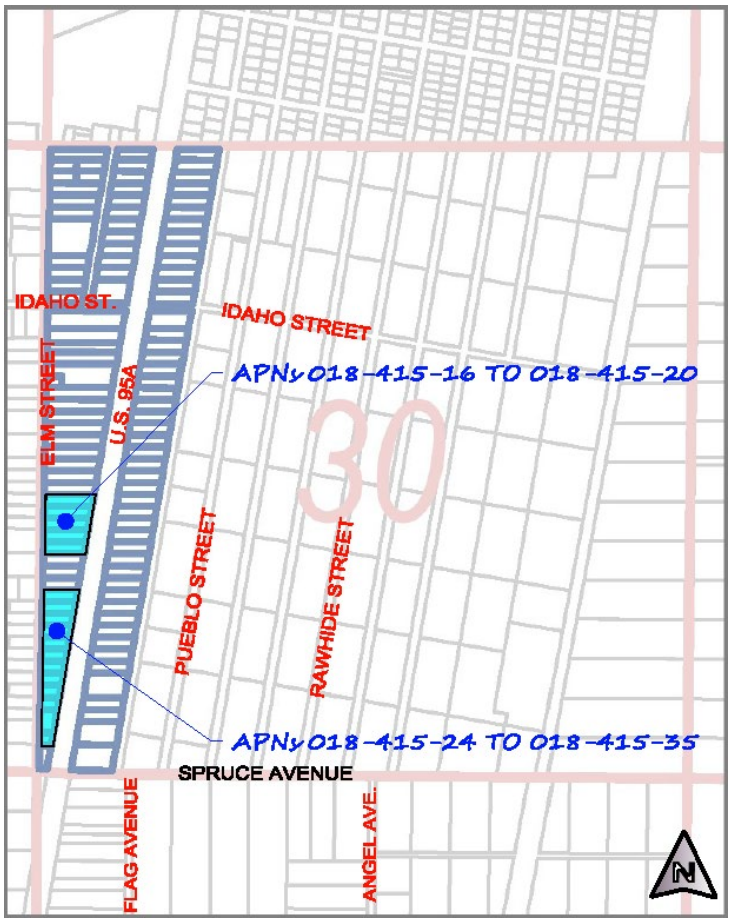
Prepared by:

MERIDIAN
LAND SOLUTIONS AND DESIGN

316 California Avenue, #154
Reno, NV 89509
(775) 657-0097

Introduction

The project intent is the proposed Master Plan and Zoning Map Amendment, which will allow for the development of the 17 lots as they were originally platted: for suburban residential development. The project is located in an infill area with surrounding homes to the west and north, and existing road infrastructure south and east. The project incorporates seventeen (17) parcels (APNs 018-415-16 to -20 and 018-415-24 to -35) grossing in area of 10.35 acres and utilizes the existing Elm Street as access for the individual lots as originally platted and planned for.



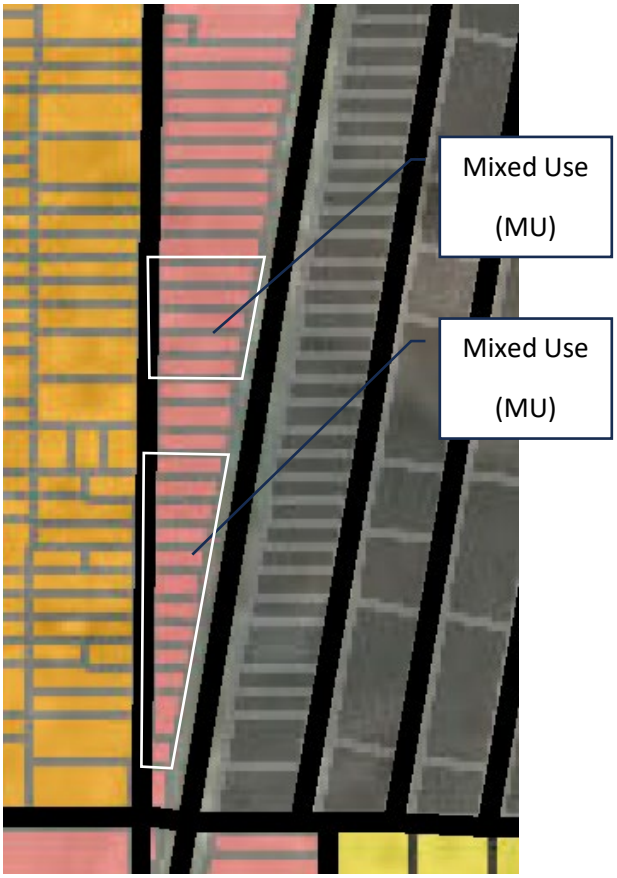
Vicinity Map

The proposed Zoning will maintain the same maximum gross density of 2.0 dwelling units per acre (du/ac) utilized for SR- ½, Suburban Residential, ½ Acre Minimum, which matches the previous zoning classification of E-2.

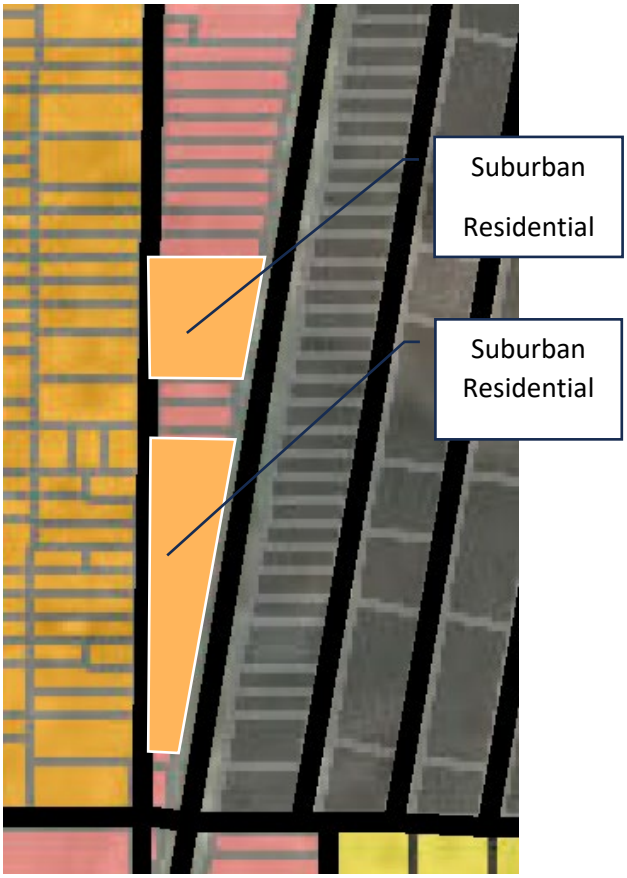
Applicant Project Request

This packet contains the required Lyon County Community Development Department application and supporting information for the following requests:

- A **Master Plan Amendment** to redesignate 10.35 acres (17 lots) from Mixed-Use (MU) to Suburban Residential.
-

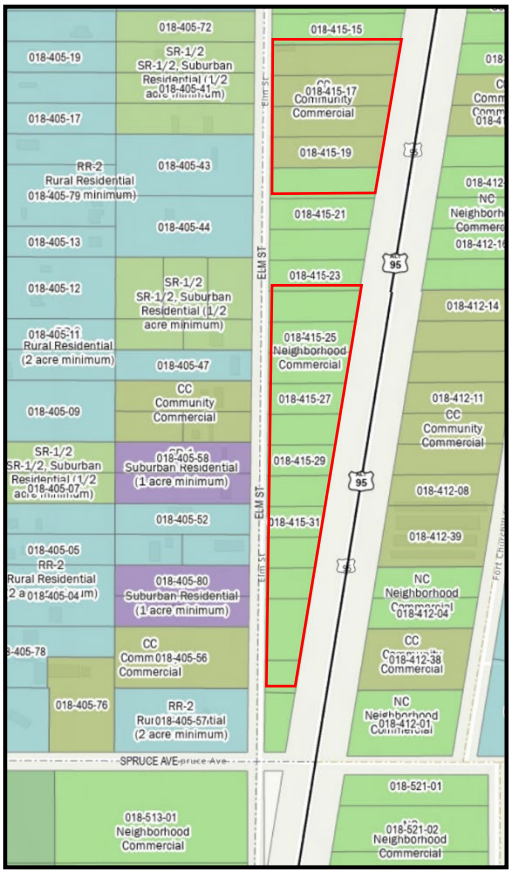


Existing Master Plan Designation

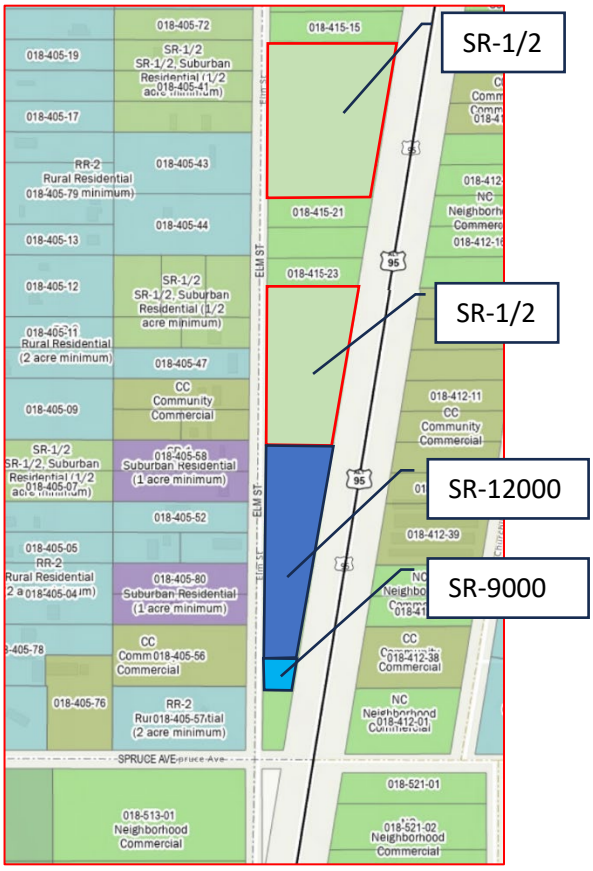


Proposed Master Plan Designation

- A **Zoning Map Amendment** to rezone 10.35 acres (17 lots) from Community Commercial and Neighborhood Commercial to SR- ½, SR-12000 and SR-9000.



Existing Zoning



Proposed Zoning

Project History

An application for Master Plan Amendment was submitted in 2021 under the previous Master Plan and Title 10 Zoning Code under the project number PLZ-2021-089. The applicant sought the same request as above for Master Plan Amendment and had a staff recommendation for approval (see Staff Report) as it met the findings necessary for the requested change. The applicant had submitted a written notice to withdraw the application before the Planning Commission hearing, dated November 9, 2021. However, the notice to withdraw came after the public notice for the hearing and therefore the application had to be reviewed by the Planning Commission and an action had to be taken per the Lyon County Planning Commission. Therefore, the Planning Commission had made a recommendation of Denial, without prejudice. This was confirmed in a Planning Commission Report and Action dated December 2, 2021 written by Robert Pyzel, the case planner.

The applicant's reasoning for withdrawal at that time was due to an agreement with a potential buyer to purchase all 17 lots under the previous Master Plan and Zoning for commercial development. The withdrawal letter was a good faith reasoning to keep the existing zoning to allow for the development of the property as a commercial use.

Subsequent to the withdrawal letter the purchase agreement did not come to completion and thus the project property has gone back on the market. The applicant states that the main reason for the withdrawal for the purchase of the property at that time was the potential buyer found that the highest and best use for the property was residential development and not commercial development, and thus the negotiations ended.

Site Analysis

The site is 17 lots, which are contiguous to each other in five (5) lots and twelve (12) lots separated by a separate three (3) lots that are undeveloped with the exception or Elm Street site access frontage and existing / surrounding supporting infrastructure (utilities, emergency services, etc.). The site has is relatively flat with an overland sloping topography ranging from 0-2 percent (predominant) on average and the site does not require any hillside development standards as prescribed in the Lyon County Development Code.

Currently a fiber optics line is located within the west side of US 95 A right-of-way, approximately 25-feet east of the rear lot lines. A Great Basin gas line is located within Elm Street right-of-way approximately 8 to 10' from the eastern edge of pavement and within the right-of-way.



Marker for Great Basin Gas Line located on the eastern side of Elm Street (within right-of-way).

Marker for Fiber Optic Line located on the western side of US 95A (within right-of-way). Located approximately 25-feet from the rear lot lines of the lots.



Site Design

The original site design shall be maintained to meet SR- ½ (E2) lot development standards and proper use of the existing Elm Street layout utilizing the existing topography and infrastructure. The site street control point is the connection to Elm Street for the lot frontage, which has two points of entry (Idaho Street to north and Spruce Avenue to the south) which meets emergency access standards. The emergency access road is designed to the City of Sparks Fire Department Road Standards.

Project Ingress / Egress and Traffic

The property will have access from Elm Street via an existing sixty-five foot (60') right-of-way which currently includes wet and dry utilities. Access from US 95 A will be restricted by utilizing a solid sound wall along the rear lot lines and the removal of an existing Nevada Department of Transportation (NDOT) driveway entrance located near the rear of APN 018-415-17 (refer to Site Plan).



Elm Street: Looking north from the intersection of Elm Street / Spruce Avenue. Lots will have access from the east side of the street.



Elm Street: Looking north south at the intersection of Elm Street / Spruce Avenue. Lots will have access from the east side of the street.



Elm Street: Looking south. Lots will have access from the east side of the street.



Elm Street: Looking north. Lots will have access from the east side of the street.

Lot and Block Fenestration

All of the lots have been previously designed to meet the minimum standards for SR-12000 (E-1) and SR- ½ (E-2) lot development. Consistent with these standards, a 25-foot front yard setback, 10-foot side yard setback (no corner lots), and 20-foot rear yard setbacks. The minimum lot frontage is 60-feet and is met as all lots currently have a minimum lot frontage of 100-feet.

House models are not available at this time; however, homes will be similar and compatible with the existing homes to the west and north and shall meet building placement, building form and parking requirements as prescribed in Title 15. Individual lot owners / builders will coordinate directly with Lyon County Staff for approval prior to issuance of a building permit.



Pedestrian Ingress / Egress

Pedestrian circulation will be maintained per current standards set for Elm Street, with access only via Elm Street and not US 95 A (rear of lots separated from highway via solid sound walls).

Signage

No project signage is proposed for the project other than those for approved real estate signage for lot property / lot sales.

Water, Sewer and Dry Utilities

The site will be served by Silver Springs Mutual Water Company (some of the lots currently have water service connections / meters already provided). Sewer service is provided by the Silver Springs General Improvement District (Lyon County Utilities District). NV Energy will provide electrical services to the 17 lots via overhead power poles / ground pedestals and SW Gas provides gas services.

Domestic Water

Water service will be provided by Silver Springs Mutual Water Company. The individual lot owners will dedicate water rights in an amount sufficient to serve the estimated lot demand. Currently some lots have water services / meters provided.



Existing fire hydrant and water service and water meter serving existing home on the west side of Elm Street. The existing water main is located in the western side of the Elm Street right-of-way (22 +/- pavement width (edge to edge).

Sanitary Sewerage

Sanitary sewer service will also be provided by Silver Springs General Improvement District (Lyon County Utilities District) with treatment by the Silver Springs Wastewater Treatment. The project is anticipated to generate an average sewage flow rate of 13,770 gpd.



Existing sanitary sewer manhole for existing sanitary sewer infrastructure located within Elm Street right-of-way. Located on the east side of the street.

Gas, Electric, Telephone and Cable Television

The dry utilities will tie into electric infrastructure via existing overhead power poles (currently available to serve APNs 018-415-16 to -18) and proposed power poles (to serve APNs 018-415-19 and -20 and 018-415-24 to -35). Telephone and cable services will be provided from these power poles as well. Natural gas is provided by SW Gas and is located approximately 8-feet west of the western edge of pavement of Elm Street.



Southwest (SW) Gas located 8-feet off edge of pavement on west side of Elm Street.



Power Poles on portions of the eastern side of Elm Street right-of-way. View looking south down Elm Street from just north of the intersection of Idaho Street and Elm Street.

Fire Protection

The project will be served by the Central Lyon County Fire Station Number 32, which is located less than 1,000-feet (less than ¼ mile) from the southern most lot. Currently there are fire hydrants located within Elm Street right-of-way (west side), typically spaced 600-feet apart. Based on a Round Table discussion held on the project on September 16, 2020, Liz Mink requested that hydrants be no more than 500-feet apart. The applicant is open to discussing placing potentially two (2) hydrants on the eastern side of Elm Street to help in providing these requirements.

Phasing

The project will not require mass grading, roadway or utility improvements. The lots may be developed individually or via a builder who purchases the 17 lots in total.

Legal Description of Lots / Project

The subject parcels are located within Section 30, Township 18 North, Range 25 East, Mount Diablo Meridian, more precisely described as Lots 42 through 4 and Lots 50 through 60 and Lot 61, excepting the southern 208 feet of Lot 61, as shown on Recorded Lyon County Subdivision Map Silver Springs Number 3 (Document Number 72429M, recorded March 4, 8, 1957.

PROPOSED PROPERTY DEVELOPMENT STATISTICS

SITE ZONING CLASSIFICATION:

Proposed SR-9000 (one lot to meet zoning conformity)
Proposed SR-12000 (eleven lots to meet zoning conformity)
Proposed SR- ½ (five lots to meet zoning conformity)

PROJECT DEVELOPMENT STANDARDS MEETING SUBURBAN RESIDENTIAL

TOTAL SITE AREA:

APN 018-415-16:	0.95 ACRES	SR- ½
APN 018-415-17:	0.91 ACRES	SR- ½
APN 018-415-18:	0.88 ACRES	SR- ½
APN 018-415-19:	0.84 ACRES	SR- ½
APN 018-415-20:	0.81 ACRES	SR- ½
APN 018-415-24:	0.67 ACRES	SR- ½
APN 018-415-25:	0.63 ACRES	SR- ½
APN 018-415-26:	0.60 ACRES	SR- ½
APN 018-415-27:	0.56 ACRES	SR- ½
APN 018-415-28:	0.53 ACRES	SR- ½
APN 018-415-29:	0.49 ACRES	SR-12000
APN 018-415-30:	0.46 ACRES	SR-12000
APN 018-415-31:	0.42ACRES	SR-12000
APN 018-415-32:	0.39 ACRES	SR-12000
APN 018-415-33:	0.35 ACRES	SR-12000
APN 018-415-34:	0.60ACRES	SR- ½
APN 018-415-35:	0.26 ACRES	SR-9000
	10.35 ACRES	

NUMBER OF DWELLING UNITS:

17 SINGLE FAMILY DETACHED HOME LOTS

GROSS DENSITY:

1.46 DWELLING UNITS PER ACRE (10.35 LOT ACREAGE PLUS 1.24 ½ RIGHT-OF-WAY FRONTAGE)
2.0 DWELLING UNITS PER ACRE ALLOWED PER CODE (SR- ½ AS MOST RESTRICTIVE)

TOTAL LOT AREA:

10.35 ACRES

TOTAL ROAD AREA SYSTEM (ELM STREET ½ RIGHT-OF-WAY SYSTEM):

1.24 ACRES

MINIMUM LOT SIZE:

11,326 SQUARE FEET

MAXIMUM LOT SIZE:

41,382 SQUARE FEET

AVERAGE LOT SIZE

26,520 SQUARE FEET

Master Plan Amendment Findings and Responses

15.210.03: FINDINGS FOR MASTER PLAN AMENDMENTS:

A. Findings For Master Plan Amendments:

1. When making an approval, modification or denial of an amendment to the master plan land use map or text, the commission and the Board shall, at a minimum, consider each of the following and base approval, modification, or denial based on the combined weight of the findings. Each finding shall be supported by a statement of evidence, facts and conclusions.

    a. 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.

Response

The 2020 Lyon County Master Plan (Lyon County Master Plan) states that "Over 90 percent of the county is zoned for Rural Residential" (2020 Lyon County Master Plan, p. 2.3, "Key Facts and Trends"). Master Plans, as explained in Chapter 1 of the 2020 Plan, are advisory—and serve as a "general policy document to guide the physical development of the county." The goals, policies, and strategies outlined in the Master Plan provide guidance for the reviewing parties to weigh. The proposed land use for this application, Suburban Residential, would be matched with SR- ½, SR-12000 and SR-9000 to be consistent with adjacent, existing development to the west and north.

This zoning will not have an increase on the existing platted density for suburban development and proposed to be consistent with existing lot sizes and applicable zoning. In addition, the SR-9000 and SR-12000 zoned lots will maintain the same setbacks as prescribed for SR- ½. Existing properties to the west, further from US 95 A have densities greater than this even though further from the main transportation core, which does not match planned development (that is, less dense as distance from main center increases).

The applicant has dedicated banked water for the development of the lots as residential and is currently paying towards the sanitary sewer hookups that have been provided to each individual lot, which demonstrates that County's understanding of the land being developed as originally planned, that is, as residential lots.

Chapter 2 of the 2020 Master Plan Update: **Communities**

In Chapter 2 of the Lyon County Master Plan, each of the Lyon County communities and their land use goals are described. The Silver Springs Community, where these existing parcels reside, includes goals especially relevant in Silver Springs:

Goal LU 2: Services Coordinated with Growth

Urban and suburban development will locate in Suburban Districts that can be served by municipal water and sewer and that are close to other municipal services and not "leapfrog" into rural areas. Conversely, low-density rural development should not occur in existing or planned suburban areas. ---- The proposed project meets this goal by providing needed

residential services with existing infrastructure in place and for many lots, payments for hook ups.

Goal FS 1: Provision for Services
Policy FS 1.1 Location of New Development

New 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 proposed project meets this goal by providing needed residential services with existing infrastructure in place and for many lots, payments for hook ups.

b. 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.

Response

This zoning will match the parcels to the west and how the property was originally platted: to have access off Elm Street for residential use in lieu of access of US 95 A, which would be necessitated for existing commercial zoning and Mixed Use Master Plan Designation. The current speed limit sign for traffic traveling in the southbound lane (which would abut the commercial frontage) is not currently a logical or feasible speed to enter a commercial development. It is believed US 95 A as designed and managed by the Nevada Department of Transportation (NDOT) is not intended for access via directly from US 95 A to a commercial development with these speeds.

In addition, for further neighborhood "feeling" of Silver Springs Number 3, the rear of the lots are proposed to have a solid sound wall (CMU or Precast wall) to isolate the residential character from the highway and traffic noise.

c. 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.

Response

This layout of the Silver Springs Unit Number 3 was to have access via Elm Street, and not via US 95 A, which has speed limits of 65 mph. Many parcels that are currently developed in existing commercially zoned properties and closer to the Silver Stage "core", that is round about, are either left in disrepair and out of business, or not developed at all. By asking for properties to be developed the same uses, when either further from the "core", is not supported by the market or the "number of roof tops" to support more services when existing ones are defunct or not be fully utilized.

In addition, per Page 3.16 of the Master Plan, *"Mixed Use development should be located where it may be readily served by existing or future transit and should be designed with clear pedestrian connections to transit stops and surrounding development."* --- There currently is no pedestrian corridor (sidewalks or paths) along US 95 A and this area is not considered safe for pedestrians due to the signed speed limits.

d. 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.

Response

The current layout will not have an adverse effect on the implementation of the master plan goals as currently existing "Mixed Use" Master Planned Areas that are commercially zoned are not being developed closer to the "core" of Silver Springs, which would be the natural market progression. In addition, areas that are currently defunct in these areas can be redeveloped to meet these needs in lieu of "leap frogging" to undeveloped areas further from the "core".

The proposed amendment will not have an adverse impact on the public health, safety and welfare. It will provide economies of location due to its proximity / adjacency to existing infrastructure and fire services.

e. 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. (Ord. 603, 11-1- 2018)

Response

Chapter 3 of the 2020 Master Plan Update: **Land Use, Economy and Growth**

In Chapter 3 of the Lyon County Master Plan, it is stated that Lyon County will grow in an orderly fashion, concentrating development within appropriately designated communities, maintaining the diversity characterized by its settlement patterns and landscapes, providing jobs as well as housing, and sustaining quality public services and facilities.

Goal LU 1: Orderly Growth Patterns
Policy FS 1.1 Location of New Development

Direct and manage development in the county so that it is orderly and fiscally responsible. ---- The proposed MPA and ZMA will facilitate a fiscally responsible managed development by utilizing existing infrastructure designed and sized for residential development with close proximity to services and provide more "roof tops" to support the patronage of existing commercially zoned parcels closer to the "core" that are either currently not developed or defunct.

Goal LU 2: Services Coordinated with Growth
Policy LU 2.1 1.1 Residential Development in Areas with Services

Urban and suburban development will locate in Suburban Districts that can be served by municipal water and sewer and that are close to other municipal services and not "leapfrog" into rural areas. Conversely, low-density rural development should not occur in existing or planned suburban areas. ---- The proposed MPA and ZMA will bring the proposed properties back to their original and initial intent: residential development, which is currently needed in the area and will help support commercial development closer to the "core" with more "roof tops" to increase patronage / customers.

Strategies:

- *Ensure that plans are in place for required services to occur concurrently with all proposed development.* ---- The proposed MPA and ZMA will ensure this.

- *Do not approve new development if it will result in an unacceptable reduction of service levels for infrastructure. Appropriate mitigation may be provided with construction or through proportionately levied impact fees or other such mechanisms to prevent or offset a reduction of service levels.* ---- The proposed MPA and ZMA will not reduce current levels of service. Should the parcels stay as "Mixed Use" and commercially zoned, the development as such would have a significant impact on NDOT's managed US 95 A transportation thoroughfare and will may not be serviced due its Access Management Plan.

Chapter 7 of the 2020 Master Plan Update: **Public Facilities and Services**

Goal FS 1: Provision of Services

Municipal water and sewer systems will be expanded only in areas where they are cost effective, and with preparation of a Utilities Master Plan.

Policy FS 1.1: Location of New Development

New 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 proposed MPA and ZMA will facilitate a fiscally responsible managed development by utilizing existing infrastructure designed and sized for residential development with close proximity to services and provide more "roof tops" to support the patronage of existing commercially zoned parcels closer to the "core" that are either currently not developed or defunct.

Zoning Map Amendment Findings and Responses

15.220.05: FINDINGS FOR ZONING MAP AMENDMENTS:

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;

Response

With the approval of a Master Plan Amendment, changing the land use from Mixed Use to Suburban Residential, the proposed zone changes, from Neighborhood Commercial, NC, and General Commercial, GC, would align with the adopted master plan and the underlying land use designation.

B. That the proposed amendment will not be inconsistent with the adequate public facilities policies contained in this title;

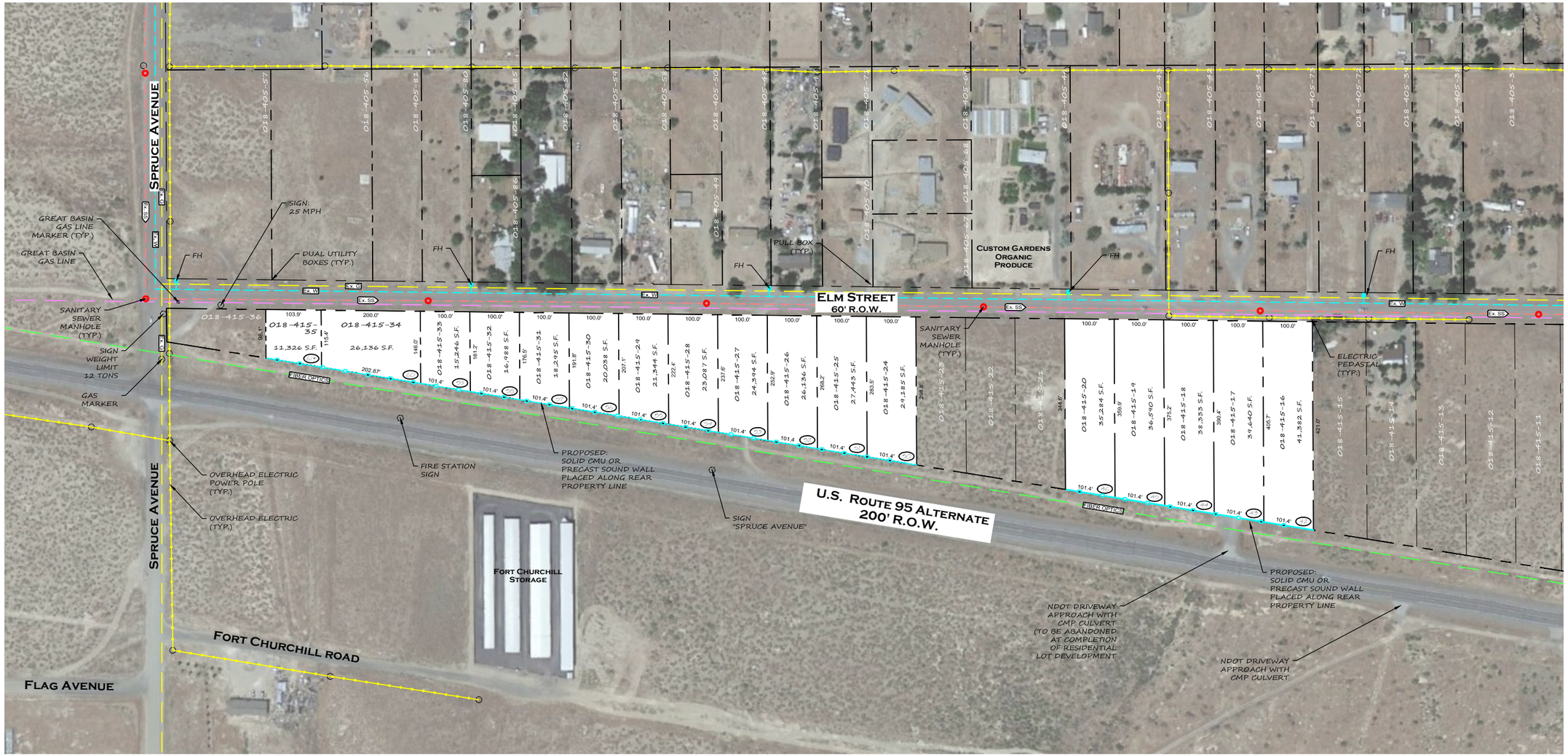
Response

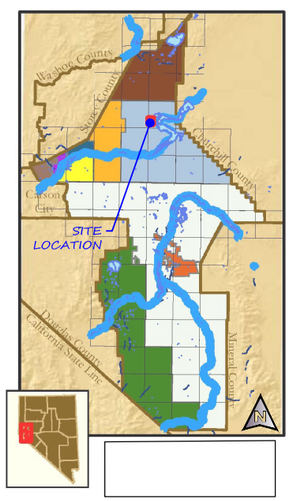
The proposed amendment would not be inconsistent with public facilities policies in this title. As noted above, there are public utilities, roadways, and other infrastructure in place now for the appropriate development, as it was originally designed and proposed, that is, residential.

C. That the proposed amendment is compatible with the actual or master planned adjacent uses. (Ord. 603, 11-1-2018)

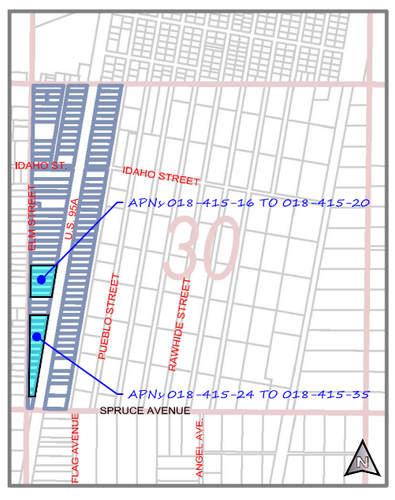
Response

The existing lots to the west and north, located within Silver Springs Number 3, are comparable in zoning and land use. In fact, many lots to the west have been subdivided subsequent to the platting of Silver Springs Number 3 and have a higher density than that proposed by the proposed zoning. The development of the seventeen (17) lots will be less dense / than those to the west and will not provide intrusion or light and sound pollution that would be the impact if the subject parcels were to be developed commercially.

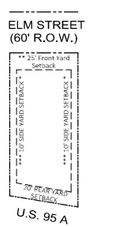




LOCATION MAP



VICINITY MAP

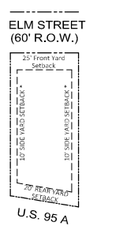


LOT STANDARDS SR-9000

SUBURBAN RESIDENTIAL, 9,000 SF MIN

1. Minimum Lot Size: 12,000 S.F.
2. Minimum Lot Street Frontage Width: 60 feet
3. * - 20' Side Yard Setback along Side Street
4. ** - 20' Per Code; 25' Proposed for conformity to adjacent properties
5. *** - 5' Per Code; 10' Proposed for conformity to adjacent properties
6. Proposed CMU or Precast Soundwall along rear yard line
7. Site entrance along Elm Street

Applicable Assessor Parcels
018-415-35

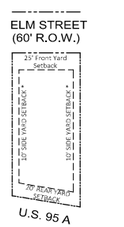


LOT STANDARDS SR-12000

SUBURBAN RESIDENTIAL, 12,000 SF MIN

1. Minimum Lot Size: 12,000 S.F.
2. Minimum Lot Street Frontage Width: 60 feet
3. * - 20' Side Yard Setback along Side Street
4. Proposed CMU or Precast Soundwall along rear yard line
5. Site entrance along Elm Street

Applicable Assessor Parcels
018-415-29
through
018-415-33



LOT STANDARDS SR-1/2

SUBURBAN RESIDENTIAL, ½ ACRE MINIMUM

1. Minimum Lot Size: ½ Acre (21,780 S.F.)
2. Minimum Lot Street Frontage Width: 60 feet
3. * - 25' Side Yard Setback along Side Street
4. Proposed CMU or Precast Soundwall along rear yard line
5. Site entrance along Elm Street

Applicable Assessor Parcels
018-415-16
through
018-415-28 & 018-415-34

PROJECT SUMMARY:

# OF LOTS PROPOSED:	17
LOT STATUS:	PLATTED PER RECORDER MAP 72429M
MINIMUM LOT SIZE:	0.26 ACRES
MAXIMUM LOT SIZE:	0.95 ACRES
TOTAL SITE SIZE:	10.35 ACRES (AGGREGATE AREA OF 17 LOTS)
EXISTING ZONING:	C1 AND C2
PROPOSED ZONING:	SR-9000, SR-12000 AND SR-1/2 REFER TO DIAGRAMS (THIS SHEET)
EXISTING MASTER PLAN:	MIXED USE (MU)
PROPOSED MASTER PLAN:	SUBURBAN RESIDENTIAL
FLOOD ZONE:	UNSHADED "X" PER FIRM MAP 32019C0212E DATED 01/16/2009
SITE SETBACKS:	REFER TO DIAGRAMS (THIS SHEET)

1. THE BASIS OF BEARINGS FOR THIS SITE PLAN ARE TAKEN FROM THE RECORDED SUBDIVISION MAP FOR SILVER SPRINGS NUMBER 3, RECORDED AS DOCUMENT NUMBER 72424-M.

2. LOT AREAS SHOWN ARE PER ASSESSOR'S PARCEL DATA.

3. EXISTING UTILITIES SHOWN ON THESE PLANS, INCLUDING TYPES, LOCATIONS, SIZES AND DEPTHS ARE APPROXIMATE ONLY. INFORMATION WAS OBTAINED FROM FROM SOURCES OF VARYING RELIABILITY, INCLUDING BUT NOT LIMITED TO GOOGLE EARTH AERIAL PHOTOGRAPHY, LYON COUNTY GIS AERIAL IMAGERY, SITE VISIT PHOTOS AND RUDIMENTARY MEASUREMENTS, UTILITY COMPANIES AND AVAILABLE RECORD DRAWINGS. A REASONABLE EFFORT HAS BEEN MADE TO LOCATE THE EXISTING UNDERGROUND UTILITIES INFORMATION BUT MERIDIAN LAND SOLUTIONS AND DESIGN CANNOT ASSUME RESPONSIBILITY FOR THE COMPLETENESS AND ACCURACY OF THE INFORMATION PROVIDED HEREIN OR OF ANY EXISTING UNDERGROUND SYSTEM. THE INFORMATION PROVIDED IS FOR PLANNING PURPOSES AND NOT FOR CONSTRUCTION OR TO BE USED OR CONSTRUED AS AN ASSUILT OF EXISTING IMPROVEMENTS AND FACILITIES.

4. EXISTING PAVEMENT WIDTH OF ELM STREET - 22' ±.

(018-415-36) Lot Numbering System from Silver Springs Subdivision No. 3 Document Number 72429M

Note: Lot 61* is indication that APN 018-415-35 is a portion of the originally platted Lot 61. This APN is the original Lot 61 with an exception of the southern 208 Feet

CONCEPTUAL SITE PLAN

MASTER PLAN AND ZONE CHANGE AMENDMENT

CASEY MPA / ZMA

N

0 40 160
20 80 320
1"=80'

MERIDIAN
LAND SOLUTIONS AND DESIGN
316 CALIFORNIA AVENUE, #154
RENO, NV 89509
(775) 657-0097
BRIAN@MLSDRENO.COM
MLSDRENO.COM

Lyon County Board of County Commissioners Agenda Summary

Meeting Date: December 7, 2023

Agenda Item Number:
13.d

Subject:
For Possible Action: Approve a Zoning Map Amendment request from Michael A. and Claudia C. Casey to amend the Zoning Map designation from the Title 10 districts of C-1 (Limited Commercial – Title 10) and C-2 (General Commercial –Title 10) to the Title 15 district of SR-1/2 (Suburban Residential – 1/2 acre minimum) for 10 parcels totaling 7.38-acres with parcels generally located on the west side of US 95A between Idaho Avenue and Spruce Avenue in Silver Springs (APNs 018-415-16, -17, -18, -19, -20; 018-415-24, -25, -26, -27, -28) PLZ-2023-56.

Summary:

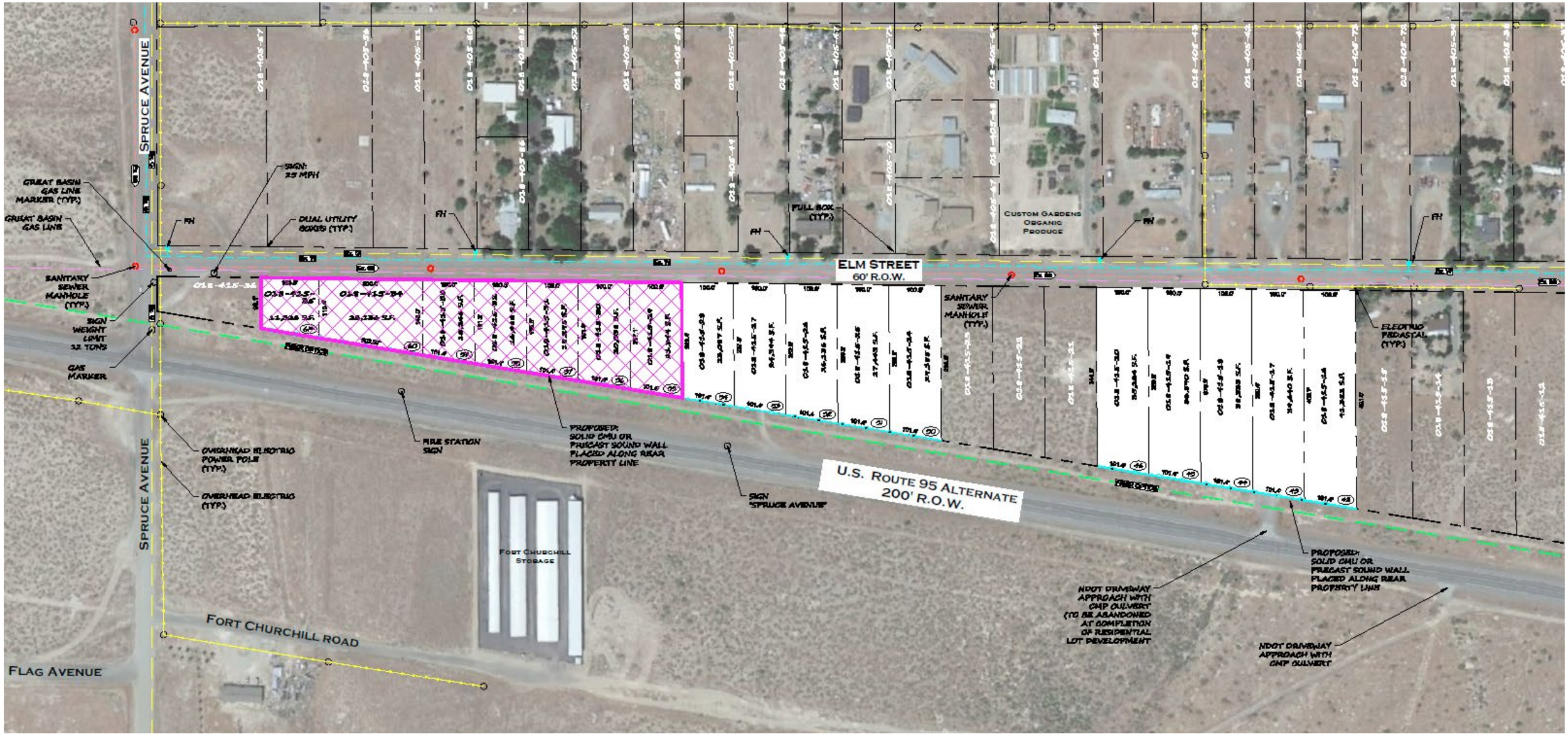
Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:

ATTACHMENTS
- Staff Report
- Backup


SPRUCE AVENUE
ELM STREET
60' R.O.W.
U.S. ROUTE 95 ALTERNATE
200' R.O.W.
FORT CHURCHILL ROAD
FLAG AVENUE
GREAT BASIN GAS LINE MARKER (TYP.)
GREAT BASIN GAS LINE
SANITARY SEWER MANHOLE (TYP.)
SIGN WEIGHT LIMIT 12 TONS
GAS MARKER
SIGN: 25 MPH
DUAL UTILITY BOXES (TYP.)
FH
FULL BOX (TYP.)
CUSTOM GARDENS ORGANIC PRODUCE
ELECTRIC PEDASTAL (TYP.)
OVERHEAD ELECTRIC POWER POLE (TYP.)
OVERHEAD ELECTRIC (TYP.)
FIRE STATION SIGN
PROPOSED: SOLID CMU OR PRECAST SOUND WALL PLACED ALONG REAR PROPERTY LINE
SIGN "SPRUCE AVENUE"
FORT CHURCHILL STORAGE
NDOT DRIVEWAY APPROACH WITH CMP CULVERT (TO BE ABANDONED AT COMPLETION OF RESIDENTIAL LOT DEVELOPMENT
PROPOSED: SOLID CMU OR PRECAST SOUND WALL PLACED ALONG REAR PROPERTY LINE
NDOT DRIVEWAY APPROACH WITH CMP CULVERT

SPRUCE AVENUE

REAT BASIN
GAS LINE
RKER (TYP.)

T BASIN
AS LINE

SANITARY
SEWER
MANHOLE
(TYP.)

SIGN
WEIGHT
LIMIT
12 TONS

GAS
MARKER

FH

SIGN:
25 MPH

DUAL UTILITY
BOXES (TYP.)

FH

FIBER OPTICS

018-415-36

018-415-35
11,326 S.F.

018-415-34
26,136 S.F.

018-415-33
15,246 S.F.

018-415-32
16,988 S.F.

018-415-31
16,295 S.F.

018-415-30
20,038 S.F.

018-415-29
21,344 S.F.

018-415-28
25,087 S.F.

018-405-86

018-405-49

Ex. W

Ex. G

Ex. 89

Ex. 88

Ex. E

Ex. M

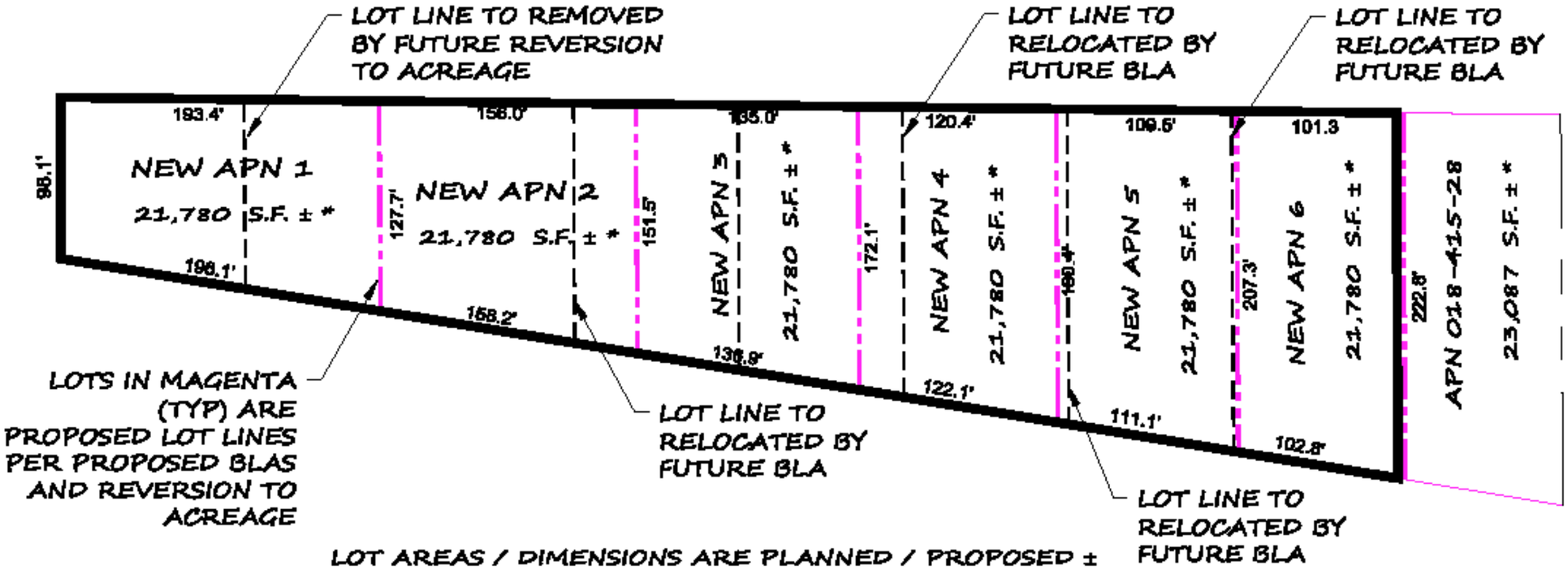
Ex. G

OVERHEAD ELECTRIC
POWER POLE
(TYP.)

OVERHEAD ELECTRIC
(TYP.)

FIRE STATION
SIGN

PROPOSED:
SOLID CMU OR
PRECAST SOUND WALL
PLACED ALONG REAR
PROPERTY LINE



1. CURRENT APNS 018-415-29 TO 018-415-33 AND 018-415-35 DO NOT MEET A MINIMUM LOT SIZE OF ½ ACRE (21,780 SQUARE FEET) TO MEET A LOT ZONING STANDARD OF SR-1/2 CLASSIFICATION. TO MEET FINDINGS FOR A ZONING MAP AMENDMENT IN THE LOCAL AREA IT REQUESTED / REQUIRED TO PROVIDE A ZONING CLASSIFICATION OF NO LESS SIZE THAN THAT PROVIDED BY SR-1/2 ZONING STANDARDS.

2. THE AGGREGATE ACREAGE OF APNS 018-415-29 THROUGH 018-415-35 (SEVEN PARCELS) IS 2.97± ACRES WHICH IS 0.03± ACRES (1,307 SQUARE FEET±) LESS THAN 3.00 ACRES (130,680 SQUARE FEET) NEEDED TO YIELD SIX PARCEL ½ ACRE LOTS.

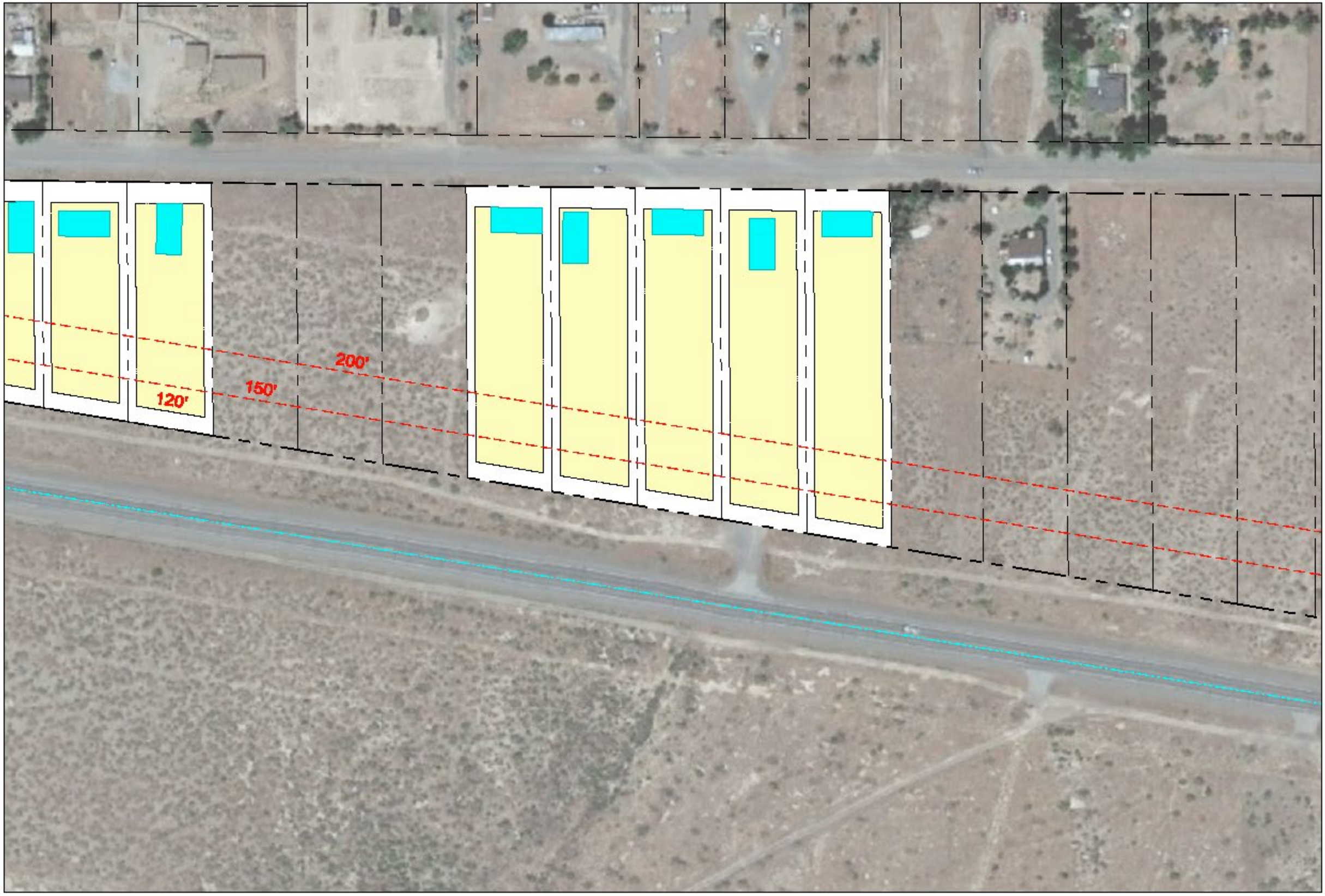
3. THE APPLICANT PROPOSES TO PERFORM A COMBINATION OF BOUNDARY LINE ADJUSTMENTS (BLA) AND REVERSION TO ACREAGE AS DEPICTED TO PROVIDE SIX (6) NEW LOTS (OF THE CURRENT) THAT WILL CONFORM TO MEET A ½ ACRE SIZE AND THUS MEET SR-1/2 ZONING CLASSIFICATION STANDARDS, WHICH WILL BE APPLIED FOR UNDER A FUTURE ZONING MAP AMENDMENT (ZMA) APPLICATION ONCE THE BLA AND REVERSION TO ACREAGE HAVE BEEN RECORDED AND HAVE RECEIVED NEW LYON COUNTY ASSIGNED ASSESSOR PARCEL NUMBERS (APNS).

4. TO GET THE ADDITIONAL 0.03± ACREAGE NEEDED TO GET 6 FULLY COMPLETE ½ ACRE LOT SIZES, IT IS PROPOSED THAT APN 018-415-28 WILL BE REDUCED FROM ITS CURRENT LOT SIZE OF 23,087± MINUS APPROXIMATELY 1,307 SQUARE FEET AS PART OF THE BLA FOR PROPOSED NEW APN 1 ABOVE. THIS ANTICIPATED REDUCTION ACREAGE WILL NOT BRING APN 018-415-28 BELOW THE ½ ACRE NEEDED TO STAY IN CONFORMANCE OF OF PROPOSED ZMA SR-1/2 ZONING STANDARDS.

5. THE REASON FOR "±" USED ABOVE IS THAT LOT ACREAGE SHOWN ON THE APN MAP (AREAS USED IN THIS APPLICATION) DIFFER SLIGHTLY FROM THE ORIGINAL LOT AREA SIZES CALCULATED FROM THE RECORDED SUBDIVISION MAP FOR SILVER SPRINGS NUMBER 3, RECORDED AS DOCUMENT NUMBER 72429-M. THE REGISTERED SURVEYOR PERFORMING THE MENTIONED FUTURE BLA'S AND REVERSION TO ACREAGE WILL RECONCILE THIS FROM FIELD BOUNDARY MARKER LOCATIONS AND CALCULATIONS.

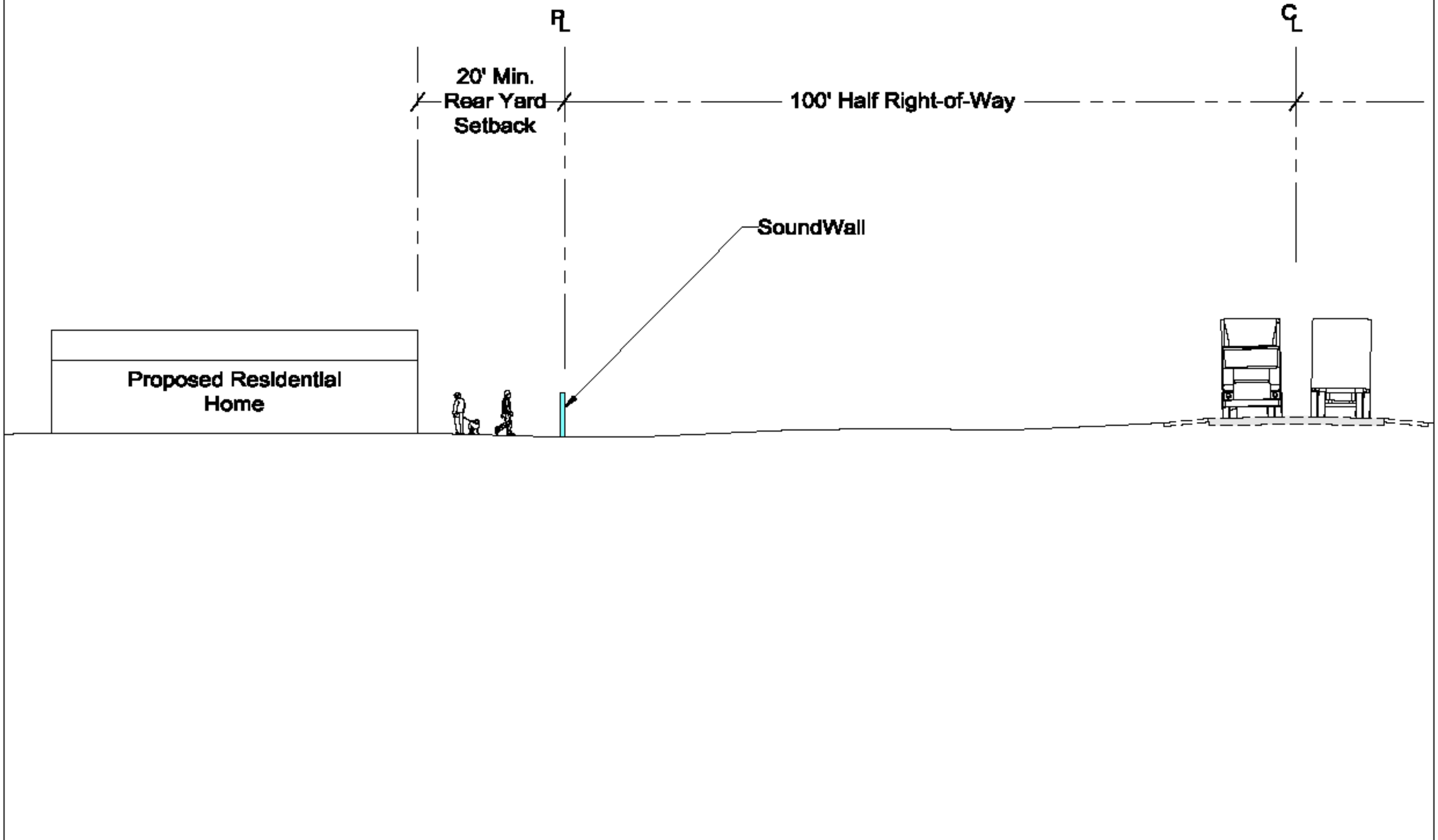
PROPOSED LOT MODIFICATIONS TO CONFORM TO SR-1/2 LOT STANDARDS

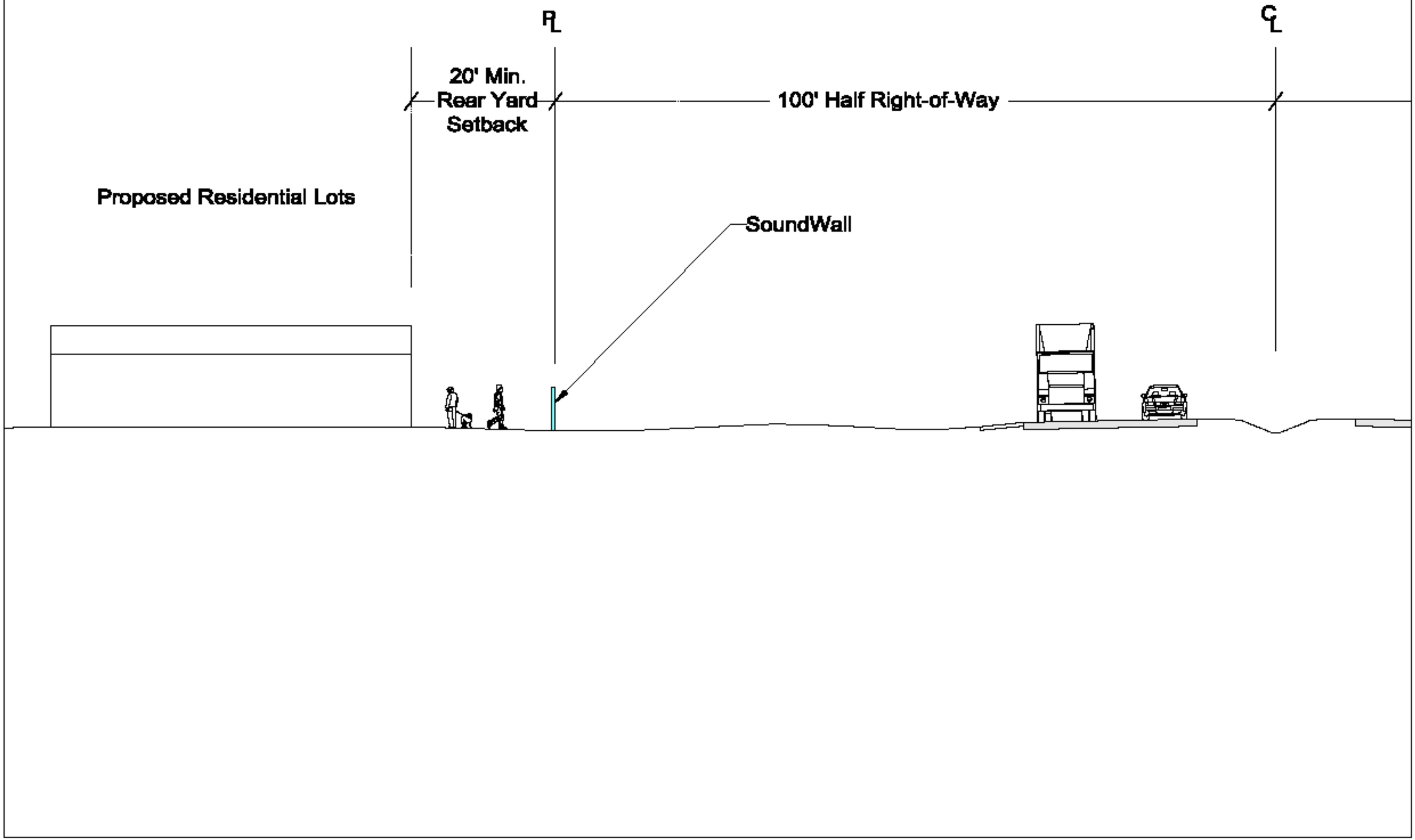

120'
150'
200'
Center Line
125' ±


200'
150'
120'


US-95 ALT


© 2023 Google
© 2023 Google
© 2023 Google
US-95 ALT


℄
℄
20' Min.
Rear Yard
Setback
100' Half Right-of-Way
SoundWall
Proposed Residential
Home


RL
CL
20' Min.
Rear Yard
Setback
100' Half Right-of-Way
Proposed Residential Lots
SoundWall

Community Development Department

Michael A. and Claudia C. Casey Zoning Map Amendments

PLZ-2023-056

Board of County Commissioners

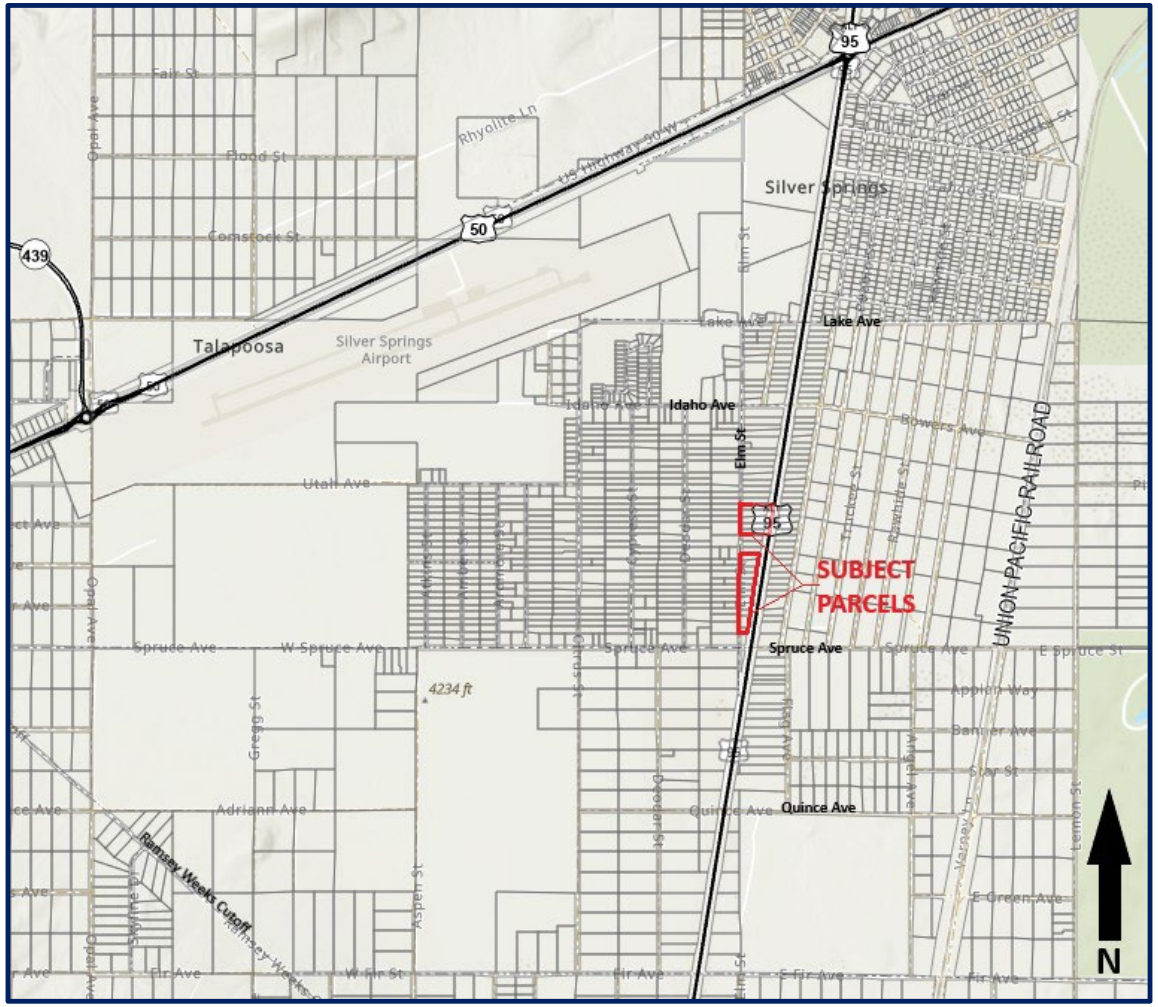
December 7, 2023

Applicant Request

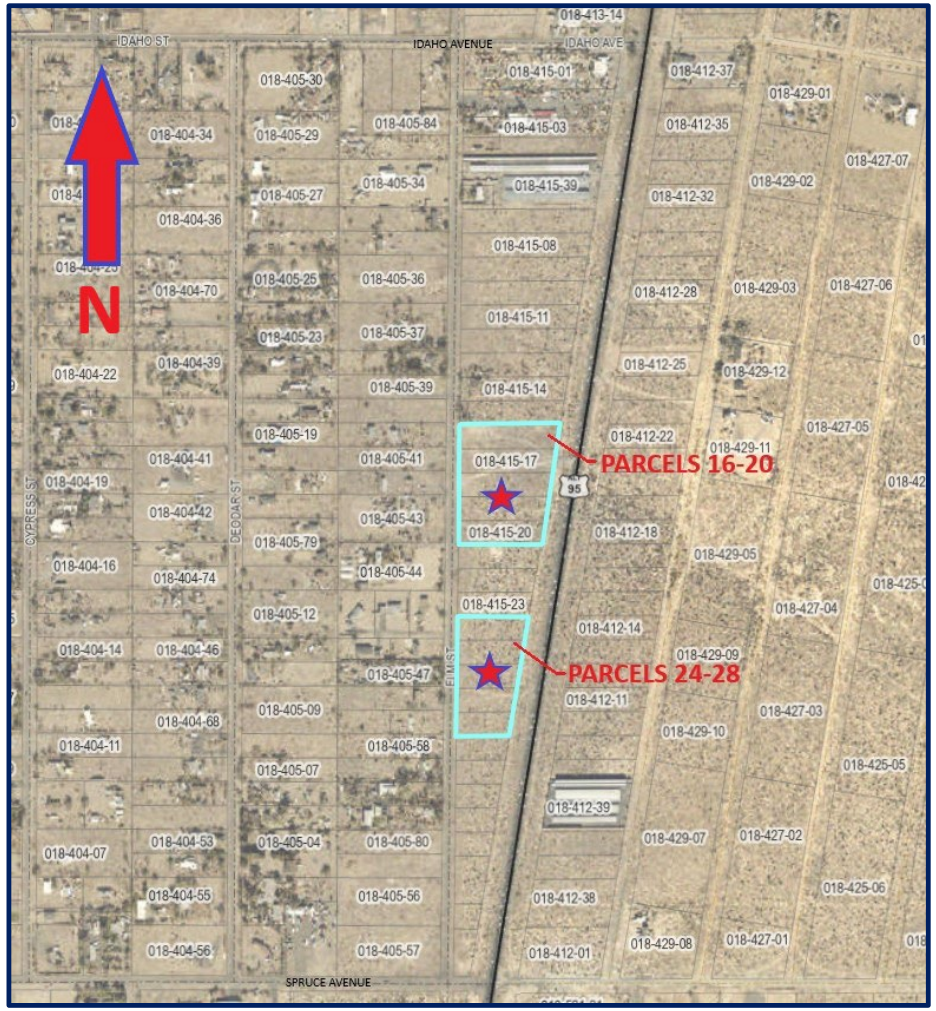
The Applicant requests a Zoning Map Amendment to **change the current zoning on ten (10) subject parcels**, totaling **7.38 acres** in size (varying from 0.53 acres to 0.95 acres) from **Limited Commercial** (C-1, Title 10) and **General Commercial** (C-2, Title 10) zoning to **Suburban Residential – 1/2 acre minimum** (SR-1/2, Title 15).

The stated future intent of the proposed Zoning Map Amendment is to change the 10 parcels from commercial zoning to residential zoning for future residential use.

Vicinity Map



Project Summary



Location:
East of Elm Street, North of Spruce Avenue in Silver Springs, Adjacent to and Directly West of US Highway 95A

APNs:

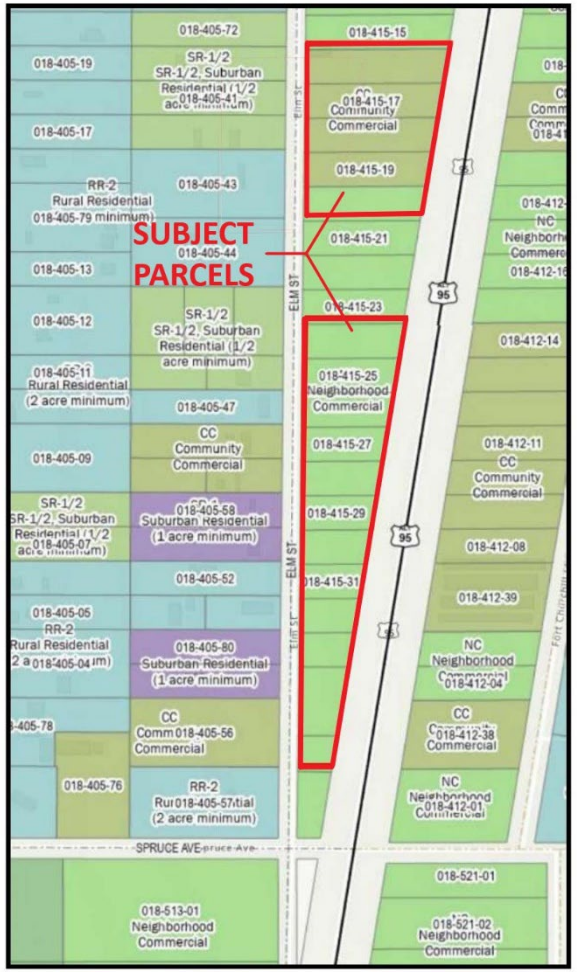
018-415-16	018-415-24
018-415-17	018-415-25
018-415-18	018-415-26
018-415-19	018-415-27
018-415-20	018-415-28

Total Area:
7.38 Acres (varying from 0.53 acres to 0.95 acres)

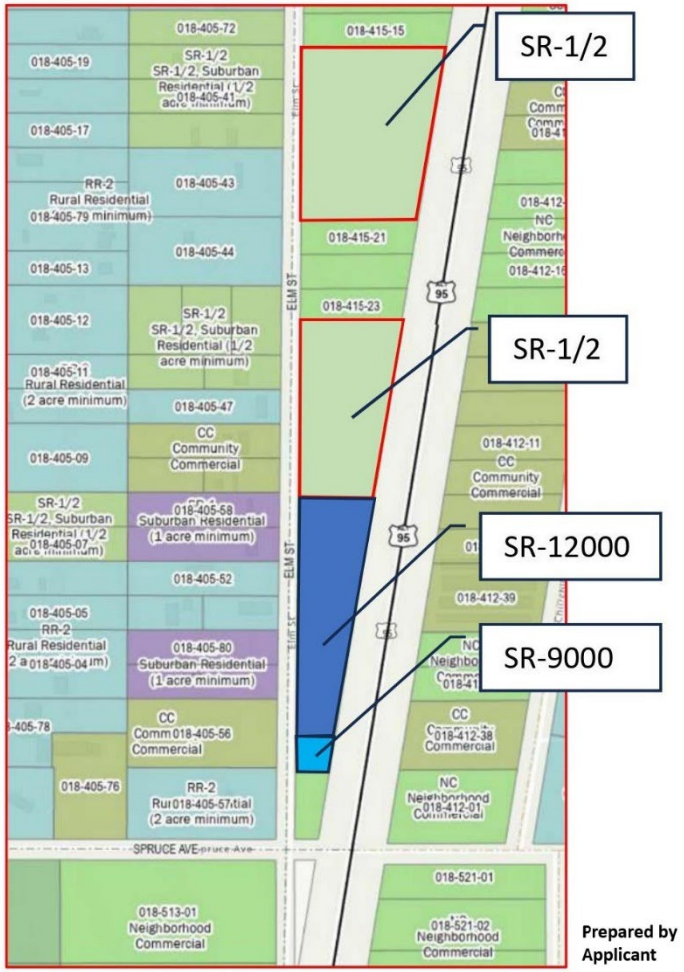
Topography:
Relatively flat topography as are surrounding lots

Community Development Department

Zoning – Current and Proposed

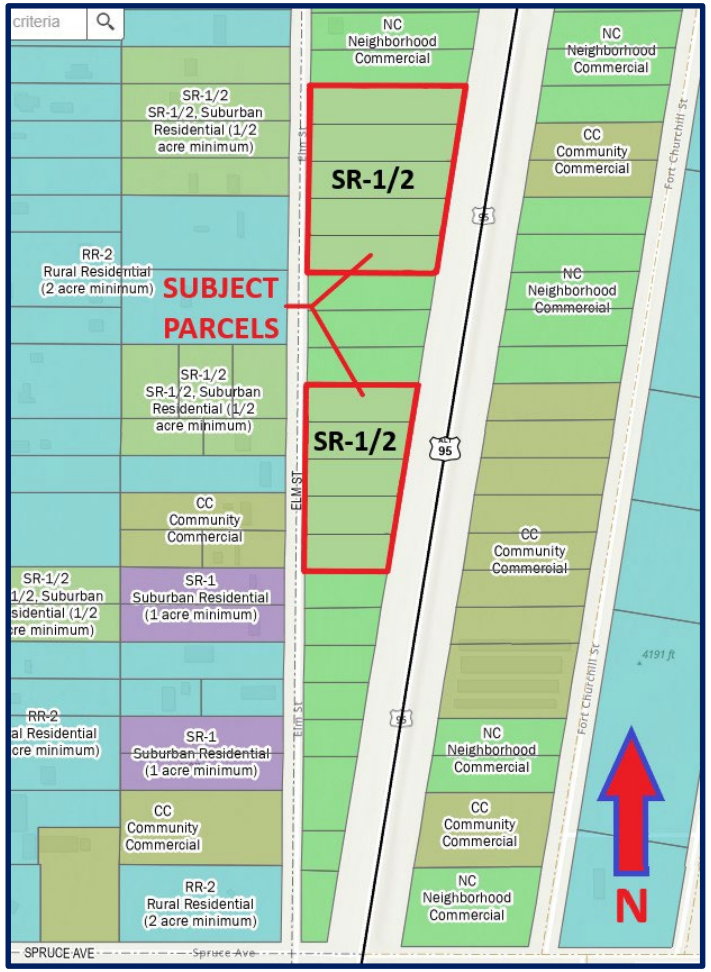


Existing Zoning



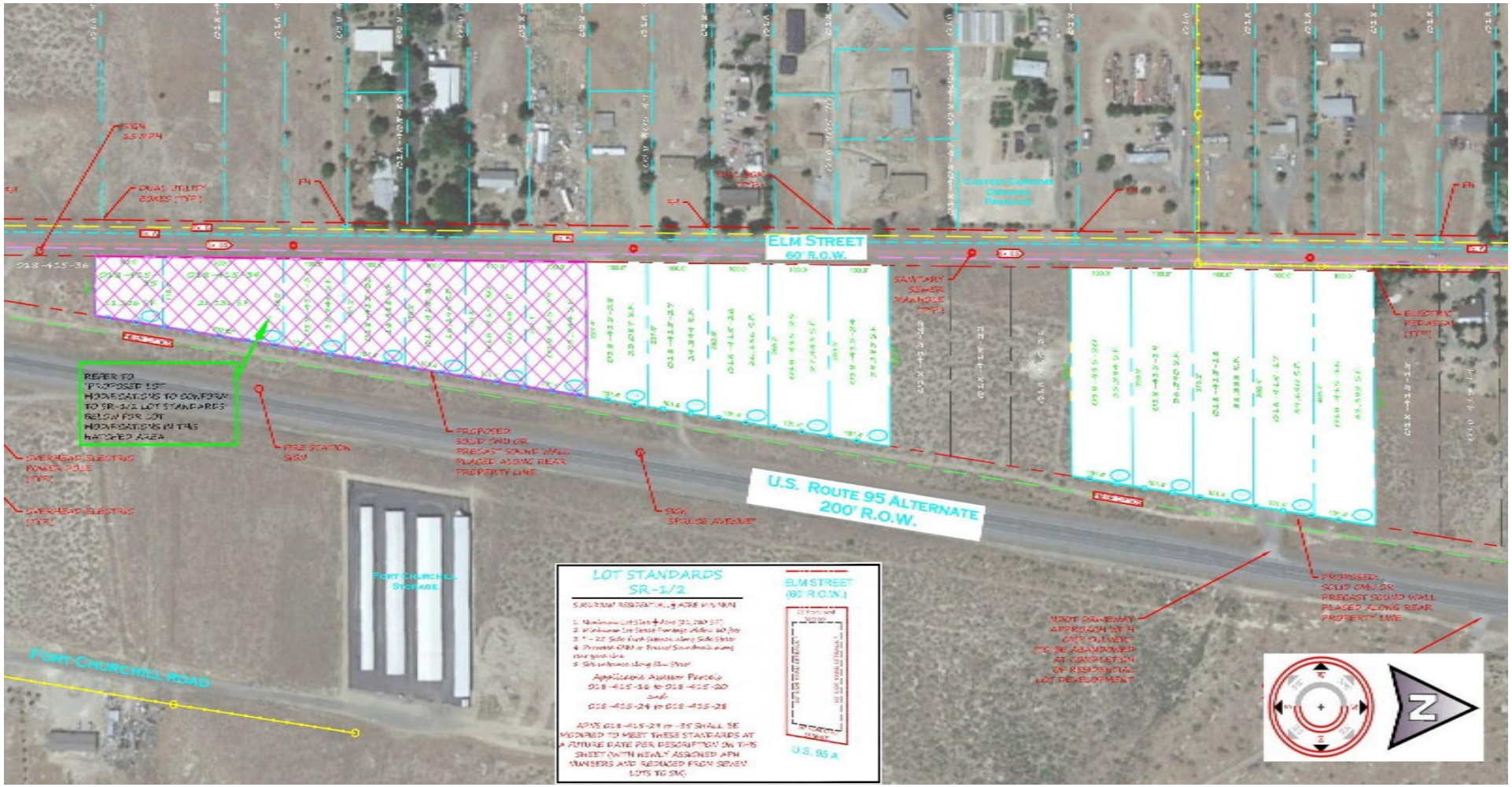
Prepared by Applicant

Initial Proposed Zoning



Currently Proposed Zoning

Conceptual Site Plan



Findings

Chapter 15.220.05 lists the **Findings** for the Board 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 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;

- Per Chapter 2 of the Master Plan "Communities: Silver Springs", it is noted that some areas adjacent to highway corridors may require Master Plan Amendments to allow for residential development.

- Per Chapter 3 of the Master Plan "Land Use, Economy, and Growth", the zoning district of **Suburban Residential, ½-acre minimum** is compatible with the Master Plan designation of **Suburban Residential.**

Finding B

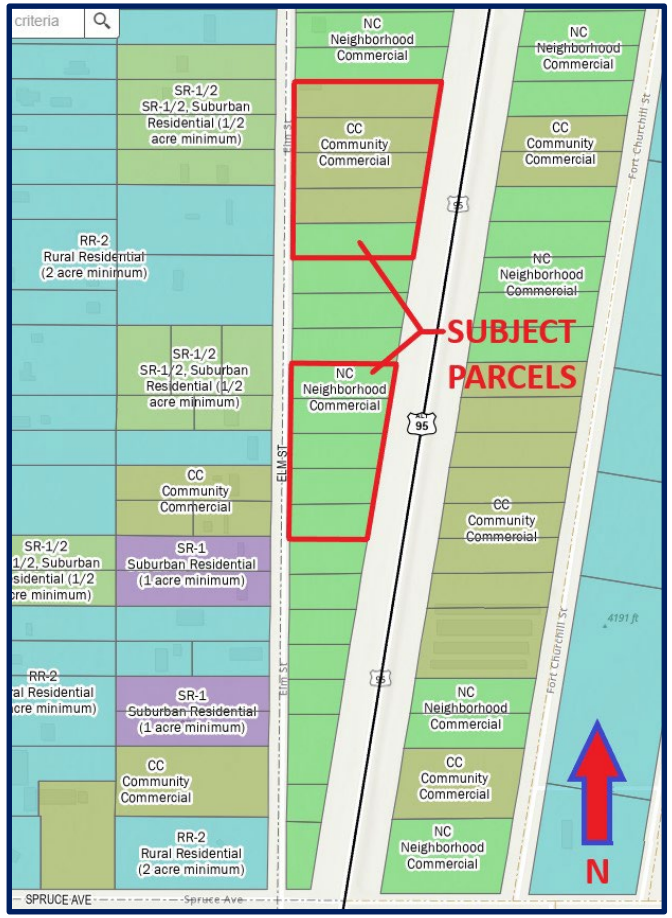
The proposed amendment will not be inconsistent with the adequate public facilities policies contained in this title;

- There are **existing Public Facilities available to the site** (water, sewer, public roads), meaning the **proposed zoning of SR-1/2 is appropriate.**
- The proposed zoning of **SR-1/2** exists in the immediate vicinity and **is appropriate** for the area.

Community Development Department

Finding C

The proposed amendment is compatible with the actual or master planned adjacent uses.



- To the **east** is US Highway 95A. The properties separated by the highway to the east are a mix of NC and CC zoning. Most are currently vacant.
- To the **west** are mostly a mix of residences and vacant privately-owned land designated as **RR-2, SR-1, and SR-1/2**. A few properties are designated as **CC**.
- The requirement for possible Conditional Use Permits (CUP) due to certain commercial uses (like petroleum sales) adjacent to a residential area already exists due to the presence of residential zoning to the west side of the properties. Setbacks of 30’ would be required adjacent to the subject parcels.
- The proposed zone change in preparation for residential development is appropriate.

Planning Commission

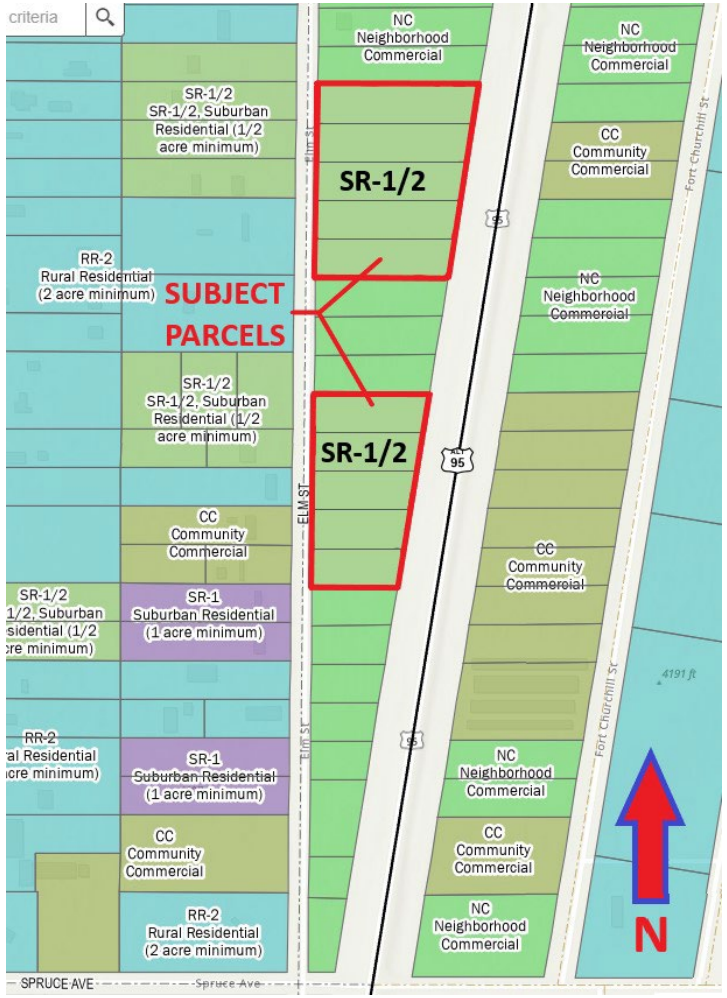
- At the November 14, 2023 Planning Commission Meeting, **the application was approved unanimously** (7 Ayes; 0 Nay; 0 Abstentions) to forward a **recommendation of approval** to the Board of County Commissioners.

- There was discussion by the Planning Commission with regard to the future lot line adjustments for the remaining 7 lots that were included in the Master Plan Amendment but omitted from this Zoning Map Amendment.

- The Applicant shared that, after meetings with Staff to discuss Staff's concerns with lots less than ½ acre, they will be coming back with lot line adjustments to increase all lot sizes to a minimum ½ acre in size and an additional Zoning Map Amendment.

Community Development Department

Questions for Staff



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

STAFF REPORT AND PLANNING COMMISSION ACTION

PLZ-2023-056:	Request for a Zoning Map Amendment from Michael A. and Claudia C. Casey to amend the zoning Map designation from the Title 10 districts of C-1 (Limited Commercial – Title 10) and C-2 (General Commercial – Title 10) to the Title 15 districts of SR-1/2 (Suburban Residential – 1/2 acre minimum) for 10 lots with a total of 7.38 acres with parcels generally located to the east of Elm Street, north of Spruce Avenue in Silver Springs (APNs 018-415-16, -17, -18, -19, -20; 018-415-24, -25, -26, -27, -28).
Proposed Action:	Zoning Map Amendment from the districts of C-1 (Limited Commercial – Title 10) and C-2 (General Commercial – Title 10) to the Title 15 district of SR-1/2 (Suburban Residential – 1/2 acre Minimum).
Meeting Date:	December 7, 2023
Property Owners:	Michael A. and Claudia C. Casey
Applicant:	Michael A. and Claudia C. Casey
Location:	Silver Springs
Parcel Number:	APNs: 018-415-16, -17, -18, -19, -20; 018-415-24, -25,-26,-27 & 28
Parcel Size:	7.38 acres
Current Master Plan:	MU (Mixed-Use)
Proposed Mater Plan:	SR (Suburban Residential)
Current Zoning:	C-1 (Limited Commercial - Title 10) and C-2 (General Commercial – Title 10)
Proposed Zoning:	SR – 1/2 (Suburban Residential – 1/2 acre Minimum – Title 15)
Flood Zone(s):	X Unshaded per FIRM 32019C0213E
Case Planner:	Lisa Nash

REQUEST

The Applicant requests a Zoning Map Amendment to change the designation from Limited Commercial (C-1) and General Commercial (C-2) zoning to Suburban Residential – 1/2 acre minimum (SR-1/2) on 10 parcels with a total of 7.38 acres in Silver Springs. The stated future intent of the proposed Zoning Map Amendment, and the predecessor Master Plan Amendment that would go before it to allow for the rezoning, is to change the 10 parcels from commercial zoning to residential zoning for future rural residential use.

The remaining 7 lots out of the total 17 that are being requested to change from Mixed-Use to Suburban Residential in the predecessor Master Plan Amendment will be addressed following this Zoning Map Amendment. The applicant proposes to adjust property lines and reduce the remaining 7 lots to 6 lots in order to meet with ½ acre zoning. They will plan to come before the Board for a final Zoning Map Amendment. The attached Conceptual Site Plan provides further information as to the planned future development.

PLANNING COMMISSION RECOMMENDATION

At the November 14, 2023 Planning Commission meeting, by a unanimous vote (7 Ayes; 0 Nay; 0 Abstentions), the Planning Commission motioned to forward a recommendation of approval to the Board of County Commissioners for the request for a Zoning Map Amendment. There was discussion by the Commission with regard to the future lot line adjustments for the remaining 7 lots that were included in the Master Plan Amendment but omitted from this Zoning Map Amendment. The Applicant shared that, after meetings with Staff to discuss Staff's concerns with lots less than ½ acre, they will be coming back with lot line adjustments to increase all lot sizes to a minimum ½ acre in size and an additional Zoning Map Amendment.

STAFF RECOMMENDATION

Staff recommends that the Board of County Commissioners approve the Zoning Map Amendment request based on the Findings as listed in the staff report as the request would be in general conformance with the 2020 Comprehensive Master Plan designation for the property.

A Zoning Map Amendment request cannot be conditioned.

RECOMMENDED MOTION

If the Board of County Commissioners determines that they will approve the requested Master Plan Amendment, then the Board 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

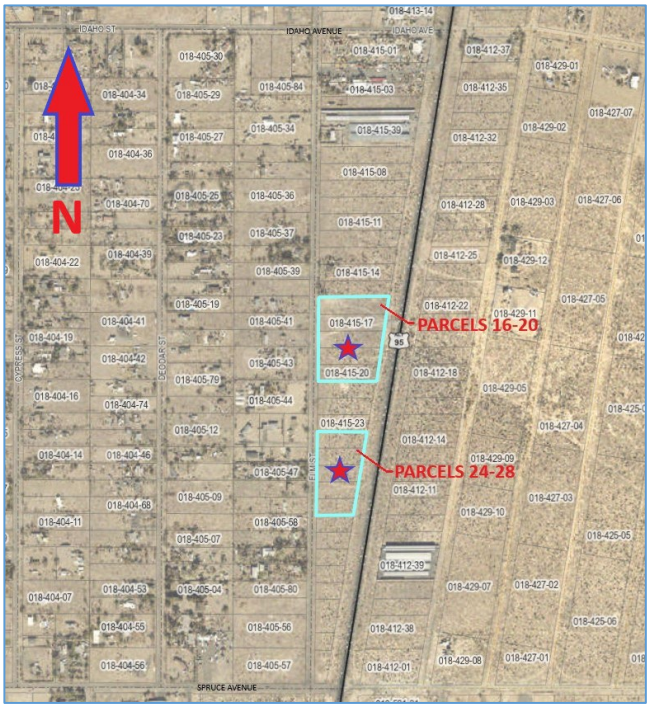
C. The proposed amendment is compatible with the actual or master planned adjacent uses.

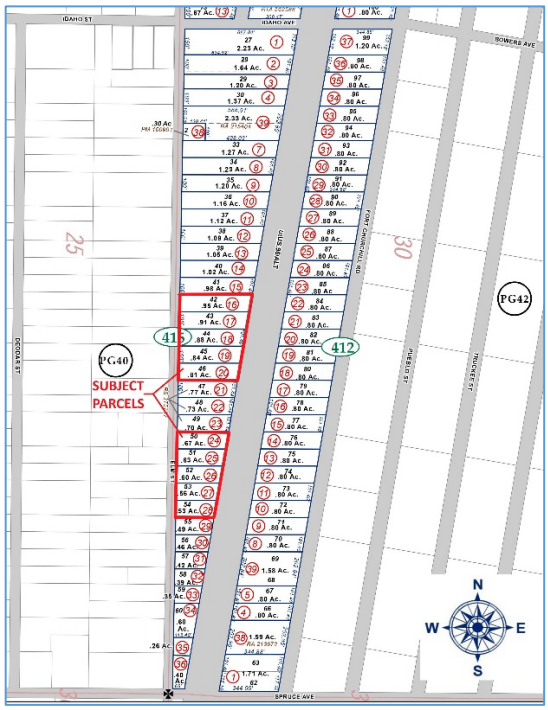
Based on the aforementioned Findings, I move that the Board of County Commissioners approve the Zoning Map Amendment request by Michael A. and Claudia C. Casey to amend the Zoning Map designation from the Title 10 zoning district of C-1 (Limited Commercial – Title 10) and C-2 (General Commercial – Title 10) to the Title 15 district of SR-1/2 (Suburban Residential – 1/2 acre Minimum), for 10 lots with a total of 7.38-acres in Silver Springs (APNs 018-415-16, -17, -18, -19, -20; 018-415-24, -25, -26, -27, -28), PLZ-2023-056.

BACKGROUND INFORMATION

Location, Size, Topography

The subject parcels are located in the Silver Springs Suburban Character District, to the east of Elm Street, north of Spruce Avenue in Silver Springs (APNs 018-415-16, -17, -18, -19, -20; 018-415-24, -25, -26, -27, -28). The parcels are a total of 7.38 acres in size lots ranging in size from 0.53 acres to 0.95 acres, and are flat as are the surrounding parcels. The maps below show the location of the properties and the properties from the County Assessor's records.





Master Plan and Zoning

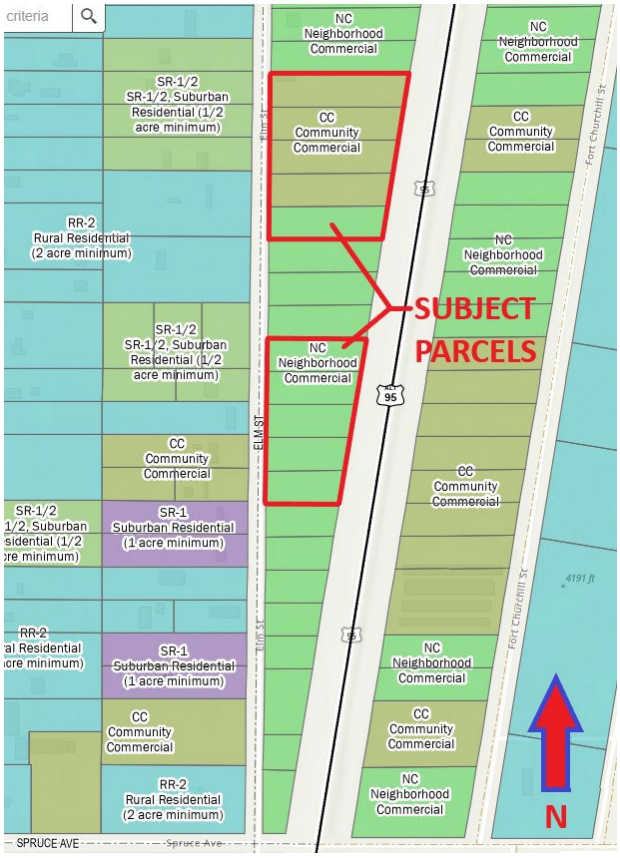
The current Master Plan designation for the site is Mixed Use, which the applicant has requested to change to Suburban Residential. That Master Plan Amendment application is addressed in a separate staff report (PLZ-2023-055).

The existing and proposed zoning of the subject parcels and the surrounding parcels are displayed in the Existing Zoning and Proposed Zoning images on the next page. The current zoning on the subject parcels are from the County's expired Development Code, Title 10. They are comprised of C-1 (Limited Commercial) and C-2 (General Commercial). Per the Consistency Matrix (excerpts below), the C-1 district has a corresponding district of NC (Neighborhood Commercial) in Title 15, and the C-2 district has a corresponding district of CC (Community Commercial) as outlined in the Matrix. Notably, the C-2 district is applicable to the 4 northernmost lots (APN 018-415-16 thru -19) and the C-1 district is applicable to the remaining lots (APN 018-415-20 and -24 thru -28) to the south.

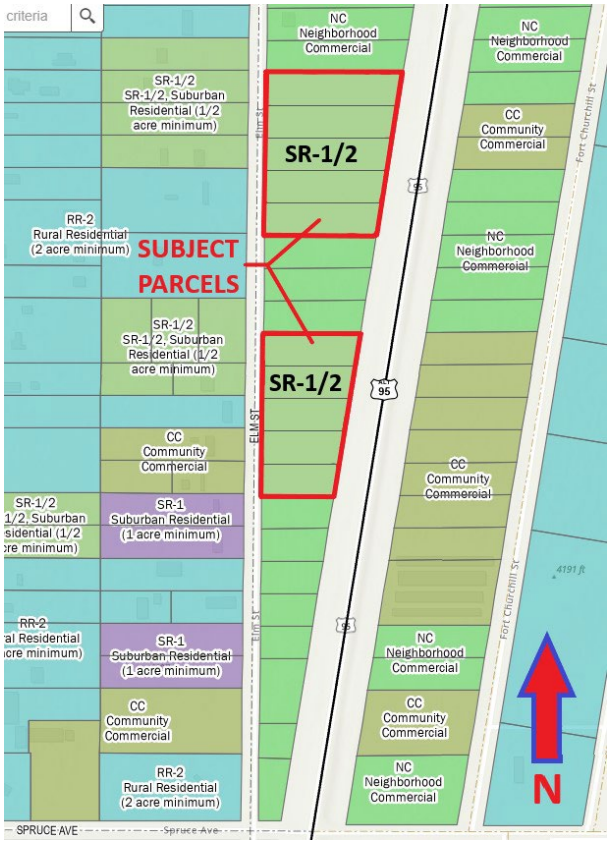
The proposed zoning request, should the Master Plan Amendment be approved, is to rezone the parcels from the Title 10 zoning district of C-1 (Limited Commercial – Title 10) and C-2 (General Commercial – Title 10) to the Title 15 district of SR-1/2 (Suburban Residential – 1/2 acre Minimum). The zoning amendment would be consistent with the new Suburban Residential Master Plan designation.

Exhibit A
Zoning Consistency Matrix

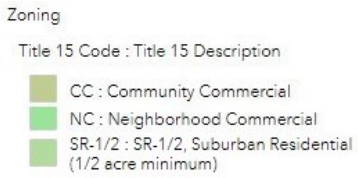
TITLE 15 ZONING CLASSIFICATION	CURRENT TITLE 10 ZONING CLASSIFICATION
Suburban Character Districts	
NC, Neighborhood Commercial	C-1, Limited Commercial District
CC, Community Commercial	C-2, General Commercial District



EXISTING ZONING



PROPOSED ZONING



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 Commissioners. The Board makes the final vote on whether or not to approve the request.

FINDINGS FOR REVIEWING A ZONING MAP AMENDMENT REQUEST

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

With the approval of a Master Plan Amendment, changing the land use from Mixed Use to Suburban Residential, the proposed zone changes, from Neighborhood Commercial, NC, and General Commercial, GC, would align with the adopted master plan and the underlying land use designation.

Staff Comment

The proposed Zoning Map Amendment would facilitate the development of the subject property in a manner consistent with the Master Plan designation of Suburban Residential. The proposed SR-1/2 (Suburban Residential, 1/2-acre minimum) zoning designation would also be consistent with the 2020 Master Plan designation of Suburban Residential. Properties with a designation of Suburban Residential have varying lot sizes and layouts, and are frequently adjacent to highways and commercial zoning area. As discussed in the Master Plan for Silver Springs "*Some areas along the highway corridors may require Master Plan amendments from Industrial districts in order to accommodate any increases in residential use.*" Converting these properties from commercial to residential uses is appropriate in this neighborhood. This Finding is met.

	Title 10 Zoning *(Consistent Title 15 Designation)*	Title 15 Zoning	Density Range/Size	Description/Characteristics	Examples of Uses
Suburban Residential	**E-2** *(SR-1/2)* **E-1** *(SR-12000)*	**SR-1/2** **SR-12000** **SR-12000-H** **PUD ***	1 DU per 12,000 sf to <1 acre (>1-<4 DU/acre)	Medium-density residential neighborhoods should contain a mix of housing types in a neighborhood setting. Each neighborhood should have a recognizable center. Centers will vary in size and composition, but may include a combination of higher-density residential uses, parks and/or recreation facilities, or civic uses. Neighborhoods should contain connective open spaces that unify the development and provide transitions between other areas and uses.	Single-family residences and duplexes and attached housing.
	NR-3 *(SR-9000)* **NR-1** *(NR)* **NR-2** *(MFR)* **MHP** *(No Consistent District)*	**SR-9000** **SR-9000-H** **NR** **NR-H** **MFR** **PUD ***	5 to 18 Dwelling Units per acre	High density residential is typically found in suburbanizing districts. High Density Residential should be located near major transportation facilities, near commercial uses, or civic centers and near parks.	Apartments, duplexes, fourplexes, condominiums and townhomes. Single Family Residential detached units at 5 to 10 dwelling units per acre.

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 would not be inconsistent with public facilities policies in this title. As noted above, there are public utilities, roadways, and other infrastructure in place now for the appropriate development, as it was originally designed and proposed, that is, residential.

Staff Comment

The applicant's response referring to a comment above, is referring to a comment provided by the applicant for the Master Plan Amendment findings "*The proposed MPA and ZMA will facilitate a fiscally responsible managed development by utilizing existing infrastructure designed and sized for residential development with close proximity to services and provide more "roof tops" to support the patronage of existing commercially zoned parcels closer to the "core" that are either currently not developed or defunct*."

As the proposed parcel is contiguous with other similarly designated rural residential parcels, it would not result in a "leap frog" development. The parcels would be served by local phone, water, sewer, and electric utilities 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 significant new need for public services that are not already provided to existing residents 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 existing lots to the west and north, located within Silver Springs Number 3, are comparable in zoning and land use. In fact, many lots to the west have been subdivided subsequent to the platting of Silver Springs Number 3 and have a higher density than that proposed by the proposed zoning. The development of the seventeen (17) lots will be less dense / than those to the west and will not provide intrusion or light and sound pollution that would be the impact if the subject parcels were to be developed commercially.

Staff Comment

The proposed Zoning Map Amendment to rezone the 10 parcels as SR-1/2 (Suburban Residential, 1/2-acre minimum) would be consistent with the Master Plan designation of Suburban Residential. The subject properties would not increase density in the neighborhood nor would it introduce a new or incompatible use to the area.

The change in land use designation would create a gap of three lots between the north and south parcels and the southernmost parcel on the block (APNs 018-415-21, -22, -23, and -36) remaining as Neighborhood Commercial Zoning Designation (Title 15) surrounded by the proposed SR-1/2 zoning designation. The three properties in the gap and the property on the south end of the block will not have any change to their Zoning designations. The requirement for possible Conditional Use Permits (CUP) due to certain commercial uses (like petroleum sales) adjacent to a residential area already exists due to the presence of residential zoning to the west side of the properties. This zoning amendment would not impose any additional requirements beyond what currently exists.

The proposed zoning would be similar to the residential properties to the west, which generally vary from ½ acre to 2 acre residential parcels, and support a consistent development pattern. This Finding is met.

Alternatives to Approval

Alternative Motion for Continuance

If the Board of County Commissioners determine that there is insufficient information with which to make a decision on the Master Plan 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 of County Commissioners should make the appropriate findings and move to continue the Public Hearing for the Master Plan 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 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 Master Plan Amendment application.

Based on the aforementioned finding, and with the applicant's concurrence, the Board of County Commissioners continues the Zoning Map Amendment request by Michael A. and Claudia C. Casey to amend the Zoning Map designation from the Title 10 zoning district of C-1 (Limited Commercial – Title 10) and C-2 (General Commercial – Title 10) to the Title 15 district of SR-1/2 (Suburban Residential – 1/2 acre Minimum), for 10 lots with a total of 7.38-acres in Silver Springs (APNs 018-415-16, -17, -18, -19, -20; 018-415-24, -25, -26, -27, -28), PLZ-2023-056.

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 of County Commissioners may wish to consider a motion similar to the following:

The Lyon County 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.

After consideration of the above-listed Findings, the Lyon County Board of Commissioners has determined that the Zoning Map Amendment would not be in conformance with the above-listed considerations and denies the Zoning Map Amendment request by Michael A. and Claudia C. Casey to amend the Zoning Map designation from the Title 10 zoning district of C-1 (Limited Commercial – Title 10) and C-2 (General Commercial – Title 10) to the Title 15 district of SR-1/2 (Suburban Residential – 1/2 acre Minimum), for 10 lots with a total of 7.38-acres in Silver Springs (APNs 018-415-16, -17, -18, -19, -20; 018-415-24, -25, -26, -27, -28), PLZ-2023-056.

MERIDIAN
LAND SOLUTIONS AND DESIGN
316 California Avenue, #154 Reno, NV 89509
(775) 657-0097

October 18, 2023

Lisa Nash
Senior Planner
Lyon County Planning Department
27 South Main Street
Yerington, NV 89477

Via: *Email to lnash@lyon-county.org*

RE: PLZ-2023-055 and PLZ-2023-056
Master Plan Amendment and Zoning Map Amendment
APNs: APNs: 018-415-16 to -20 and 018-415-24 to -35
3565 to 3975 S. Hwy 95A, Silver Springs
Application Revision Number 1

Dear Ms. Nash:

This letter discusses revisions to Lyon County Planning Applications PLZ-2023-055, which is an application for a Master Plan Amendment (MPA), and PLZ-2023-056 (which is an application for a Zoning Map Amendment (ZMA). The impetus for the revisions is due to a collective and mutual agreement amongst the Applicant / Owner, Kim McCreary (applicant's representative), MLSD as their application representative and the Lyon County Community Development Staff (Lisa Nash and Louis Cariola). This agreement / understanding came about during a Staff Application meeting held via Zoom amongst the parties on Wednesday, October 11, 2023.

All revisions have been incorporated, both in text and drawing / diagram on the attached Conceptual Site Plan with a note showing "Revision 1 Plan, Dated: October 16, 2023).

Revisions to PLZ-2023-055, MPA

There are no planned revisions to PLZ-2023-055, MPA. During the meeting mentioned above it was stated that staff could support the MPA application as submitted and all parties were in agreement.

Revisions to PLZ-2023-056, ZMA

During the staff application meeting Ms. Nash stated that Lyon County Planning Staff could support the ZMA as presented, with the exception of proposed zoning for SR-12000 (APNs 018-415-29 through 018-415-33) and SR-9000 (APN 018-415-35). The reason for Lyon County not being able to support findings for these two zoning classifications, which are less then SR-1/2 zoned lot sizes, is that no existing properties within the immediate vicinity of the project have acreages less than ½ acre. All members of the meeting were in agreement to update the application to allow only APNs 018-415-16 through 018-415-20

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(775) 657-0097

and 018-415-24 through 018-415-28 to be part of the current ZMA application as they are proposed meeting the supported ZMA zoning classification of SR-1/2. The remaining lots (APNs 018-415-29 through 018-415-35) are being removed from the current ZMA as they currently do not have lot sizes to meet an SR-1/2 zoning classification, with the exception of 018-415-34, which meets the SR-1/2 zoning classification. The reason APN 018-415-34 is withheld at this time is that it is part of the combined parent lot area of the APNs to be removed from the ZMA discussed above, that will be modified, via a Boundary Line Map and Reversion to Acreage, or combination thereof, to provide lots meeting SR-1/2 lot size standards. In order to accomplish this objective, it is understood that the future lots that will be created in the parent area of the combined lots of APNs 018-415-29 to 018-415-35 will only be able to provide six (6) future lots in lieu of the current seven (7). This is because the gross acreage of these currently combined lots can only support six future ½ acre sized lots.

In addition, it is noted on the plans that all dimensions have a "+/-" and are only shown to the nearest tenth of a foot. This is because the current lot acreages and dimensions shown on the current Lyon County Assessor Map differ slightly from the original lot area sized calculated from the recorded subdivision map for Silver Springs 3, recorded as Document Number 72429-M. The proposed future BLAs and Reversion to Acreage will rectify / correct any dimension discrepancies via field boundary marker locations, boundary marker setting, and calculations.

It is also noted that the aggregate acreage of the current seven APNS 018-415-29 through 018-415-35 is calculated to be 2.97+/- acres per the current Assessor's Parcel Map, and not 3.00 acres that would be needed to subdivide into six equally sized ½ acre lots. Therefore, it is noted, that if during field certifications and calculations performed to submit the future BLAs and Reversion to Acreage, that the gross aggregate of the discussed parcels is indeed less than the needed six acre aggregate acreage, then it is proposed to do an additional BLA to APN 018-415-28 to get any remaining acreage. It is anticipated that if this is necessary that the final acreage of APN 018-415-28 will still be in compliance with meeting a ½ acre size requirement.

This letter, along with the submitted Conceptual Site Plan marked as "Revision 1 Plans, Dated October 16, 2023", is stated and meant to supersede any conflicting language in the currently notarized application and text for project narrative and Findings of Fact for Zoning Map Amendment.

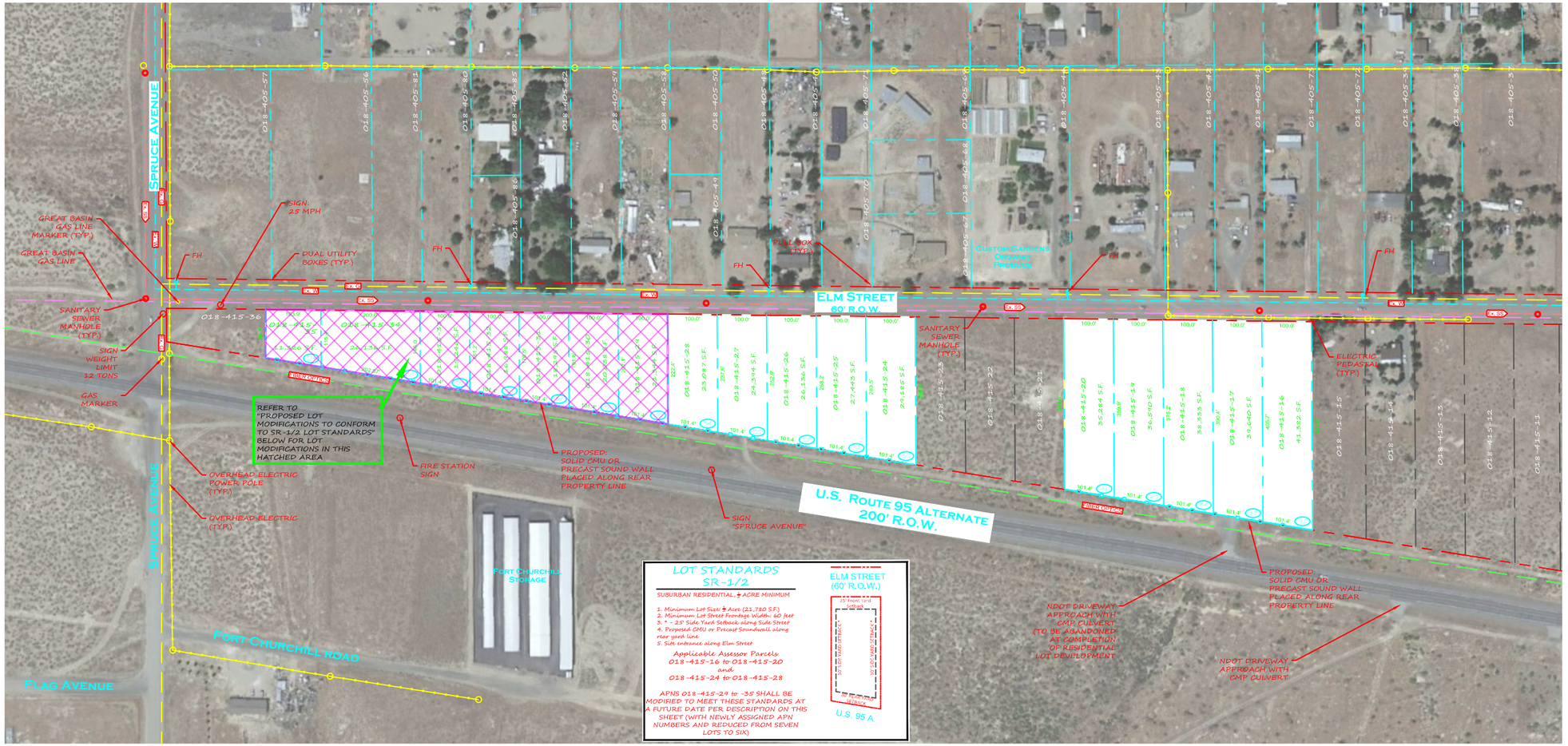
Please feel free to contact me with any questions or comments at (775) 657-0097 or via email at brian@mlsdreno.com.

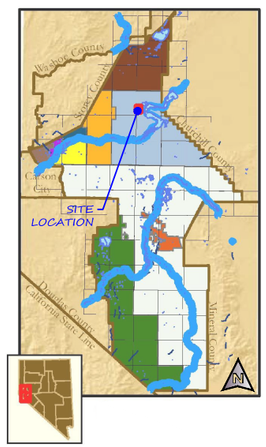
Sincerely,

Brian E. Newman

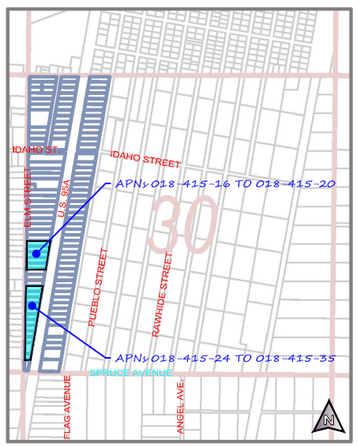
Brian Newman, PE

Attachments

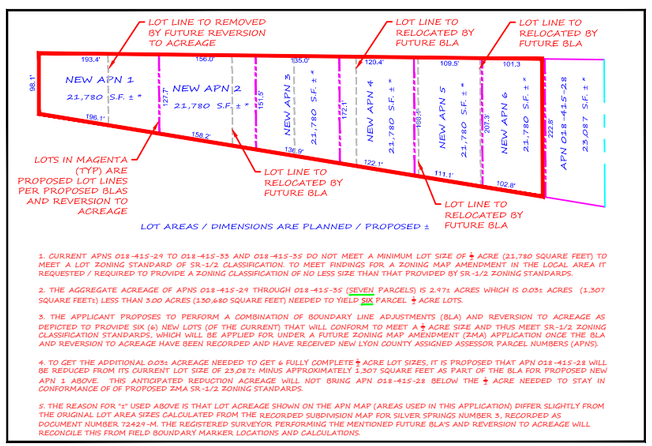




LOCATION MAP



VICINITY MAP



1. CURRENT APNS 018-415-29 TO 018-415-35 AND 018-415-35 DO NOT MEET A MINIMUM LOT SIZE OF ± ACRE (21,780 SQUARE FEET) TO MEET A LOT ZONING STANDARD OF SR-1/2 CLASSIFICATION. TO MEET FINDINGS FOR A ZONING MAP AMENDMENT IN THE LOCAL AREA IT REQUESTED / REQUIRED TO PROVIDE A ZONING CLASSIFICATION OF NO LESS SIZE THAN THAT PROVIDED BY SR-1/2 ZONING STANDARDS.

2. THE AGGREGATE ACREAGE OF APNS 018-415-29 THROUGH 018-415-35 (SEVEN PARCELS) IS 2.97± ACRES WHICH IS 0.03± ACRES (1,307 SQUARE FEET) LESS THAN 3.00 ACRES (130,680 SQUARE FEET) NEEDED TO YIELD SIX PARCEL ± ACRE LOTS.

3. THE APPLICANT PROPOSES TO PERFORM A COMBINATION OF BOUNDARY LINE ADJUSTMENTS (BLA) AND REVERSION TO ACREAGE AS DEPICTED TO PROVIDE SIX (6) NEW LOTS (OF THE CURRENT) THAT WILL CONFORM TO MEET A ± ACRE SIZE AND THUS MEET SR-1/2 ZONING CLASSIFICATION STANDARDS, WHICH WILL BE APPLIED FOR UNDER A FUTURE ZONING MAP AMENDMENT (ZMA) APPLICATION ONCE THE BLA AND REVERSION TO ACREAGE HAVE BEEN RECORDED AND HAVE RECEIVED NEW LYON COUNTY ASSIGNED ASSESSOR PARCEL NUMBERS (APNS).

4. TO GET THE ADDITIONAL 0.03± ACREAGE NEEDED TO GET 6 FULLY COMPLETE ± ACRE LOT SIZES, IT IS PROPOSED THAT APN 018-415-28 WILL BE REDUCED FROM ITS CURRENT LOT SIZE OF 25,087± MINUS APPROXIMATELY 1,307 SQUARE FEET AS PART OF THE BLA FOR PROPOSED NEW APN 1 ABOVE. THIS ANTICIPATED REDUCTION ACREAGE WILL NOT BRING APN 018-415-28 BELOW THE ± ACRE NEEDED TO STAY IN CONFORMANCE OF OF PROPOSED ZMA SR-1/2 ZONING STANDARDS.

5. THE REASON FOR "1" USED ABOVE IS THAT LOT ACREAGE SHOWN ON THE APN MAP (AREAS USED IN THIS APPLICATION) DIFFER SLIGHTLY FROM THE ORIGINAL LOT AREA SIZES CALCULATED FROM THE RECORDED SUBDIVISION MAP FOR SILVER SPRINGS NUMBER 3, RECORDED AS DOCUMENT NUMBER 72429-M, THE REGISTERED SURVEYOR PERFORMING THE MENTIONED FUTURE BLA'S AND REVERSION TO ACREAGE WILL RECONCILE THIS FROM FIELD BOUNDARY MARKER LOCATIONS AND CALCULATIONS.

PROPOSED LOT MODIFICATIONS TO CONFORM TO SR-1/2 LOT STANDARDS

PROJECT SUMMARY:

# OF LOTS PROPOSED:	16 (17 CURRENT BUT TO BE REDUCED BY BLA / REVERSION TO ACREAGE AS PROPOSED)
LOT STATUS:	PLATTED PER RECORDER MAP 72429M
MINIMUM LOT SIZE:	0.26 ACRES
MAXIMUM LOT SIZE:	0.93 ACRES
TOTAL SITE SIZE:	10.35 ACRES (AGGREGATE AREA OF 17 LOTS)
EXISTING ZONING:	C1 AND C2
PROPOSED ZONING:	SR-1/2 (REFER TO DIAGRAM THIS SHEET)
	CURRENT LOTS PROPOSED FOR ZMA PER THIS APPLICATION: APNS 018-415-16 TO -20 AND APNS 018-415-24 TO -28.
	APNS 018-415-29 TO -35 ARE NOT A PART OF THIS ZMA APPLICATION BUT SHALL BE SUBMITTED IN THE FUTURE ONCE THE LOTS HAVE BE RESIZED PER BLA / REVERSION TO ACREAGE AS DESCRIBED PER THIS SHEET.
EXISTING MASTER PLAN:	MIXED USE (MU)
PROPOSED MASTER PLAN:	SUBURBAN RESIDENTIAL (FOR ALL PARCELS SHOWN IN THIS APPLICATION: APNS 018-415-16 TO -20 AND APNS 018-415-24 TO -35)
FLOOD ZONE:	UNSHADED "X" PER FIRM MAP 32019C0212E DATED 01/16/2009
SITE SETBACKS:	REFER TO DIAGRAM (THIS SHEET)

1. THE BASIS OF BEARINGS FOR THIS SITE PLAN ARE TAKEN FROM THE RECORDED SUBDIVISION MAP FOR SILVER SPRINGS NUMBER 3, RECORDED AS DOCUMENT NUMBER 72429-M.

2. LOT AREAS SHOWN ARE PER ASSESSOR'S PARCEL DATA.

3. EXISTING UTILITIES SHOWN ON THESE PLANS, INCLUDING TYPES, LOCATIONS, SIZES AND DEPTHS ARE APPROXIMATE ONLY. INFORMATION WAS OBTAINED FROM FROM SOURCES OF VARYING RELIABILITY, INCLUDING BUT NOT LIMITED TO GOOGLE EARTH AERIAL PHOTOGRAPHY, LYON COUNTY GIS AERIAL IMAGERY, SITE VISIT PHOTOS AND RUDIMENTARY MEASUREMENTS, UTILITY COMPANIES AND AVAILABLE RECORD DRAWINGS. A REASONABLE EFFORT HAS BEEN MADE TO LOCATE THE EXISTING UNDERGROUND UTILITIES INFORMATION BUT MERIDIAN LAND SOLUTIONS AND DESIGN CANNOT ASSUME RESPONSIBILITY FOR THE COMPLETENESS AND ACCURACY OF THE INFORMATION PROVIDED HEREIN OR OF ANY EXISTING UNDERGROUND SYSTEM. THE INFORMATION PROVIDED IS FOR PLANNING PURPOSES AND NOT FOR CONSTRUCTION OR TO BE USED OR CONSTRUED AS AN ASSUILT OF EXISTING IMPROVEMENTS AND FACILITIES.

4. EXISTING PAVEMENT WIDTH OF ELM STREET - 22' ±.

Lot Numbering System from Silver Springs Subdivision No. 3 Document Number 72429M

Note: Lot 61* is indicative that APN 018-415-35 is a portion of the originally platted Lot 61. This APN is the original Lot 61 with an exception of the southern 208 Feet

CONCEPTUAL SITE PLAN

MASTER PLAN AND ZONE CHANGE AMENDMENT

CASEY MPA / ZMA

REVISION 1 PLANS
DATED: OCTOBER 16, 2023

N

0 40 160
20 80 320
1"=80'

MERIDIAN
LAND SOLUTIONS AND DESIGN
316 CALIFORNIA AVENUE, #154
RENO, NV 89509
(775) 657-0097
BRIAN@MLSDRENO.COM
MLSDRENO.COM

Master Plan and Zoning Map Amendment

for

17 Lots – Elm Street

Silver Springs, Nevada



Prepared for:

Michael and Claudia Casey
P.O. Box 5184
Fallon, NV 89407

August 14, 2023

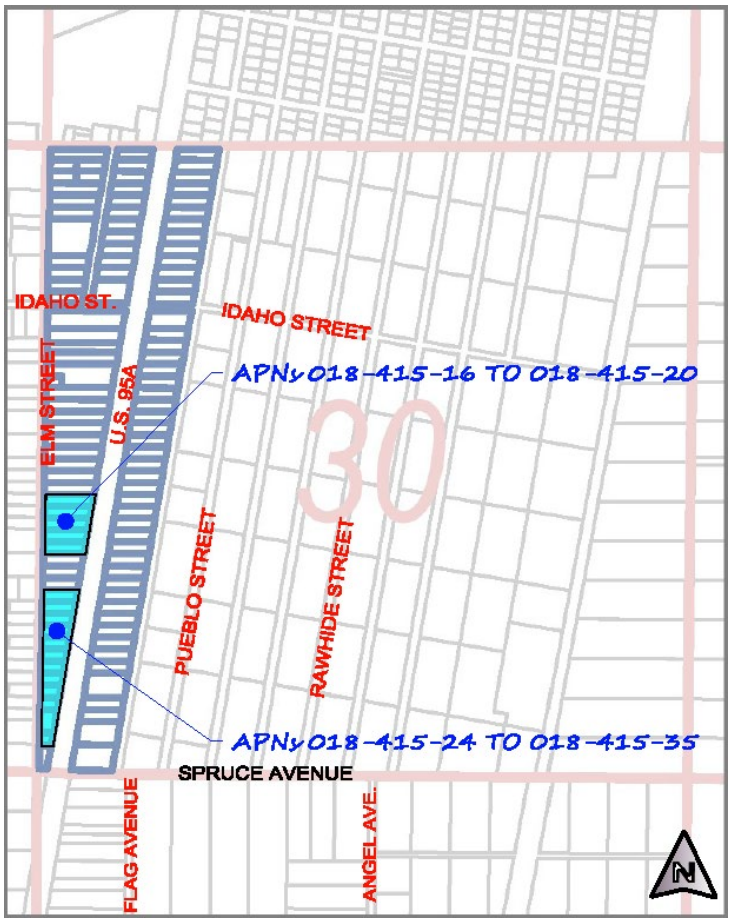
Prepared by:

MERIDIAN
LAND SOLUTIONS AND DESIGN

316 California Avenue, #154
Reno, NV 89509
(775) 657-0097

Introduction

The project intent is the proposed Master Plan and Zoning Map Amendment, which will allow for the development of the 17 lots as they were originally platted: for suburban residential development. The project is located in an infill area with surrounding homes to the west and north, and existing road infrastructure south and east. The project incorporates seventeen (17) parcels (APNs 018-415-16 to -20 and 018-415-24 to -35) grossing in area of 10.35 acres and utilizes the existing Elm Street as access for the individual lots as originally platted and planned for.



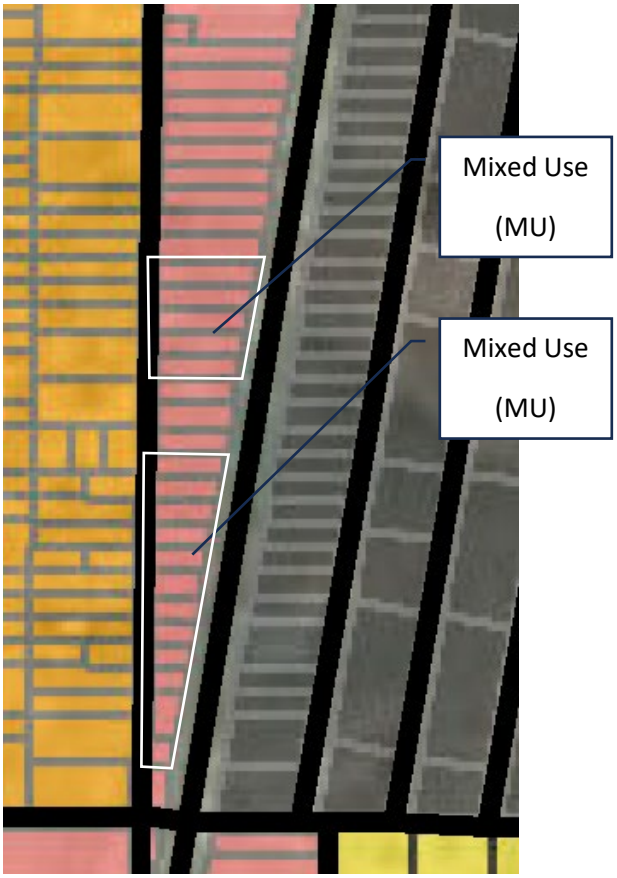
Vicinity Map

The proposed Zoning will maintain the same maximum gross density of 2.0 dwelling units per acre (du/ac) utilized for SR- ½, Suburban Residential, ½ Acre Minimum, which matches the previous zoning classification of E-2.

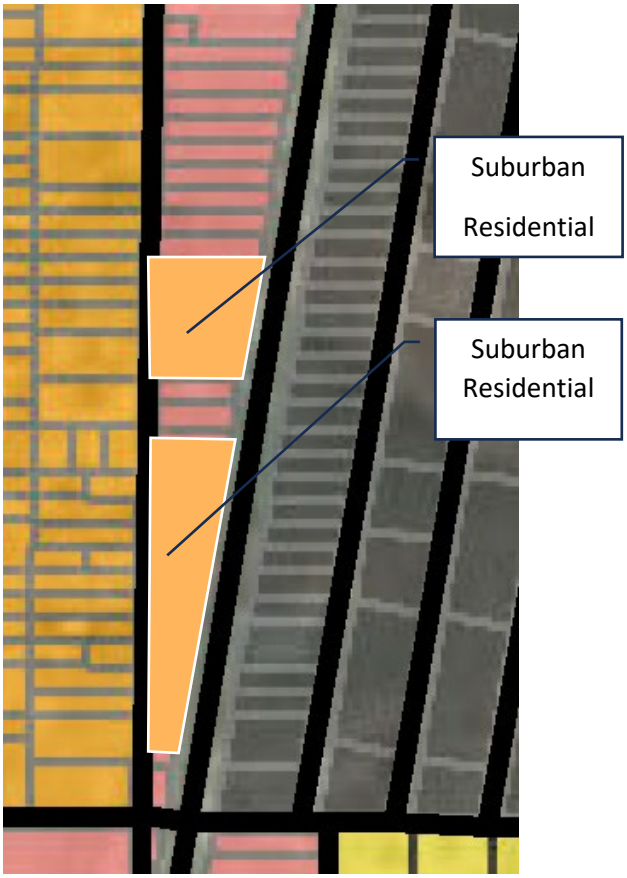
Applicant Project Request

This packet contains the required Lyon County Community Development Department application and supporting information for the following requests:

- A **Master Plan Amendment** to redesignate 10.35 acres (17 lots) from Mixed-Use (MU) to Suburban Residential.
-

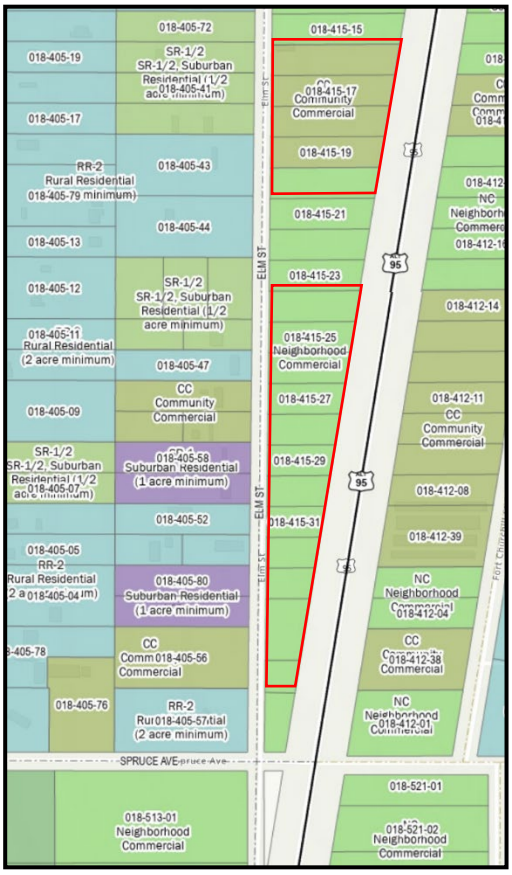


Existing Master Plan Designation

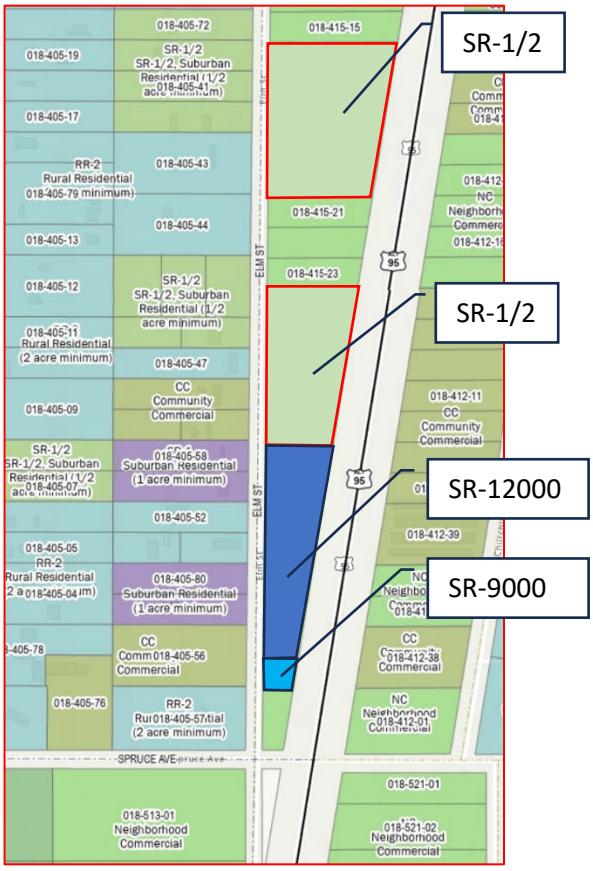


Proposed Master Plan Designation

- A **Zoning Map Amendment** to rezone 10.35 acres (17 lots) from Community Commercial and Neighborhood Commercial to SR- ½, SR-12000 and SR-9000.



Existing Zoning



Proposed Zoning

Project History

An application for Master Plan Amendment was submitted in 2021 under the previous Master Plan and Title 10 Zoning Code under the project number PLZ-2021-089. The applicant sought the same request as above for Master Plan Amendment and had a staff recommendation for approval (see Staff Report) as it met the findings necessary for the requested change. The applicant had submitted a written notice to withdraw the application before the Planning Commission hearing, dated November 9, 2021. However, the notice to withdraw came after the public notice for the hearing and therefore the application had to be reviewed by the Planning Commission and an action had to be taken per the Lyon County Planning Commission. Therefore, the Planning Commission had made a recommendation of Denial, without prejudice. This was confirmed in a Planning Commission Report and Action dated December 2, 2021 written by Robert Pyzel, the case planner.

The applicant's reasoning for withdrawal at that time was due to an agreement with a potential buyer to purchase all 17 lots under the previous Master Plan and Zoning for commercial development. The withdrawal letter was a good faith reasoning to keep the existing zoning to allow for the development of the property as a commercial use.

Subsequent to the withdrawal letter the purchase agreement did not come to completion and thus the project property has gone back on the market. The applicant states that the main reason for the withdrawal for the purchase of the property at that time was the potential buyer found that the highest and best use for the property was residential development and not commercial development, and thus the negotiations ended.

Site Analysis

The site is 17 lots, which are contiguous to each other in five (5) lots and twelve (12) lots separated by a separate three (3) lots that are undeveloped with the exception or Elm Street site access frontage and existing / surrounding supporting infrastructure (utilities, emergency services, etc.). The site has is relatively flat with an overland sloping topography ranging from 0-2 percent (predominant) on average and the site does not require any hillside development standards as prescribed in the Lyon County Development Code.

Currently a fiber optics line is located within the west side of US 95 A right-of-way, approximately 25-feet east of the rear lot lines. A Great Basin gas line is located within Elm Street right-of-way approximately 8 to 10' from the eastern edge of pavement and within the right-of-way.



Marker for Great Basin Gas Line located on the eastern side of Elm Street (within right-of-way).

Marker for Fiber Optic Line located on the western side of US 95A (within right-of-way). Located approximately 25-feet from the rear lot lines of the lots.



Site Design

The original site design shall be maintained to meet SR- ½ (E2) lot development standards and proper use of the existing Elm Street layout utilizing the existing topography and infrastructure. The site street control point is the connection to Elm Street for the lot frontage, which has two points of entry (Idaho Street to north and Spruce Avenue to the south) which meets emergency access standards. The emergency access road is designed to the City of Sparks Fire Department Road Standards.

Project Ingress / Egress and Traffic

The property will have access from Elm Street via an existing sixty-five foot (60') right-of-way which currently includes wet and dry utilities. Access from US 95 A will be restricted by utilizing a solid sound wall along the rear lot lines and the removal of an existing Nevada Department of Transportation (NDOT) driveway entrance located near the rear of APN 018-415-17 (refer to Site Plan).



Elm Street: Looking north from the intersection of Elm Street / Spruce Avenue. Lots will have access from the east side of the street.



Elm Street: Looking north south at the intersection of Elm Street / Spruce Avenue. Lots will have access from the east side of the street.



Elm Street: Looking south. Lots will have access from the east side of the street.



Elm Street: Looking north. Lots will have access from the east side of the street.

Lot and Block Fenestration

All of the lots have been previously designed to meet the minimum standards for SR-12000 (E-1) and SR- ½ (E-2) lot development. Consistent with these standards, a 25-foot front yard setback, 10-foot side yard setback (no corner lots), and 20-foot rear yard setbacks. The minimum lot frontage is 60-feet and is met as all lots currently have a minimum lot frontage of 100-feet.

House models are not available at this time; however, homes will be similar and compatible with the existing homes to the west and north and shall meet building placement, building form and parking requirements as prescribed in Title 15. Individual lot owners / builders will coordinate directly with Lyon County Staff for approval prior to issuance of a building permit.



Pedestrian Ingress / Egress

Pedestrian circulation will be maintained per current standards set for Elm Street, with access only via Elm Street and not US 95 A (rear of lots separated from highway via solid sound walls).

Signage

No project signage is proposed for the project other than those for approved real estate signage for lot property / lot sales.

Water, Sewer and Dry Utilities

The site will be served by Silver Springs Mutual Water Company (some of the lots currently have water service connections / meters already provided). Sewer service is provided by the Silver Springs General Improvement District (Lyon County Utilities District). NV Energy will provide electrical services to the 17 lots via overhead power poles / ground pedestals and SW Gas provides gas services.

Domestic Water

Water service will be provided by Silver Springs Mutual Water Company. The individual lot owners will dedicate water rights in an amount sufficient to serve the estimated lot demand. Currently some lots have water services / meters provided.



Existing fire hydrant and water service and water meter serving existing home on the west side of Elm Street. The existing water main is located in the western side of the Elm Street right-of-way (22 +/- pavement width (edge to edge).

Sanitary Sewerage

Sanitary sewer service will also be provided by Silver Springs General Improvement District (Lyon County Utilities District) with treatment by the Silver Springs Wastewater Treatment. The project is anticipated to generate an average sewage flow rate of 13,770 gpd.



Existing sanitary sewer manhole for existing sanitary sewer infrastructure located within Elm Street right-of-way. Located on the east side of the street.

Gas, Electric, Telephone and Cable Television

The dry utilities will tie into electric infrastructure via existing overhead power poles (currently available to serve APNs 018-415-16 to -18) and proposed power poles (to serve APNs 018-415-19 and -20 and 018-415-24 to -35). Telephone and cable services will be provided from these power poles as well. Natural gas is provided by SW Gas and is located approximately 8-feet west of the western edge of pavement of Elm Street.



Southwest (SW) Gas located 8-feet off edge of pavement on west side of Elm Street.



Power Poles on portions of the eastern side of Elm Street right-of-way. View looking south down Elm Street from just north of the intersection of Idaho Street and Elm Street.

Fire Protection

The project will be served by the Central Lyon County Fire Station Number 32, which is located less than 1,000-feet (less than ¼ mile) from the southern most lot. Currently there are fire hydrants located within Elm Street right-of-way (west side), typically spaced 600-feet apart. Based on a Round Table discussion held on the project on September 16, 2020, Liz Mink requested that hydrants be no more than 500-feet apart. The applicant is open to discussing placing potentially two (2) hydrants on the eastern side of Elm Street to help in providing these requirements.

Phasing

The project will not require mass grading, roadway or utility improvements. The lots may be developed individually or via a builder who purchases the 17 lots in total.

Legal Description of Lots / Project

The subject parcels are located within Section 30, Township 18 North, Range 25 East, Mount Diablo Meridian, more precisely described as Lots 42 through 4 and Lots 50 through 60 and Lot 61, excepting the southern 208 feet of Lot 61, as shown on Recorded Lyon County Subdivision Map Silver Springs Number 3 (Document Number 72429M, recorded March 4, 8, 1957.

PROPOSED PROPERTY DEVELOPMENT STATISTICS

SITE ZONING CLASSIFICATION:

Proposed SR-9000 (one lot to meet zoning conformity)
Proposed SR-12000 (eleven lots to meet zoning conformity)
Proposed SR- ½ (five lots to meet zoning conformity)

PROJECT DEVELOPMENT STANDARDS MEETING SUBURBAN RESIDENTIAL

TOTAL SITE AREA:

APN 018-415-16:	0.95 ACRES	SR- ½
APN 018-415-17:	0.91 ACRES	SR- ½
APN 018-415-18:	0.88 ACRES	SR- ½
APN 018-415-19:	0.84 ACRES	SR- ½
APN 018-415-20:	0.81 ACRES	SR- ½
APN 018-415-24:	0.67 ACRES	SR- ½
APN 018-415-25:	0.63 ACRES	SR- ½
APN 018-415-26:	0.60 ACRES	SR- ½
APN 018-415-27:	0.56 ACRES	SR- ½
APN 018-415-28:	0.53 ACRES	SR- ½
APN 018-415-29:	0.49 ACRES	SR-12000
APN 018-415-30:	0.46 ACRES	SR-12000
APN 018-415-31:	0.42ACRES	SR-12000
APN 018-415-32:	0.39 ACRES	SR-12000
APN 018-415-33:	0.35 ACRES	SR-12000
APN 018-415-34:	0.60ACRES	SR- ½
APN 018-415-35:	0.26 ACRES	SR-9000
	10.35 ACRES	

NUMBER OF DWELLING UNITS:

17 SINGLE FAMILY DETACHED HOME LOTS

GROSS DENSITY:

1.46 DWELLING UNITS PER ACRE (10.35 LOT ACREAGE PLUS 1.24 ½ RIGHT-OF-WAY FRONTAGE)
2.0 DWELLING UNITS PER ACRE ALLOWED PER CODE (SR- ½ AS MOST RESTRICTIVE)

TOTAL LOT AREA:

10.35 ACRES

TOTAL ROAD AREA SYSTEM (ELM STREET ½ RIGHT-OF-WAY SYSTEM):

1.24 ACRES

MINIMUM LOT SIZE:

11,326 SQUARE FEET

MAXIMUM LOT SIZE:

41,382 SQUARE FEET

AVERAGE LOT SIZE

26,520 SQUARE FEET

Master Plan Amendment Findings and Responses

15.210.03: FINDINGS FOR MASTER PLAN AMENDMENTS:

A. Findings For Master Plan Amendments:

1. When making an approval, modification or denial of an amendment to the master plan land use map or text, the commission and the Board shall, at a minimum, consider each of the following and base approval, modification, or denial based on the combined weight of the findings. Each finding shall be supported by a statement of evidence, facts and conclusions.

    a. 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.

Response

The 2020 Lyon County Master Plan (Lyon County Master Plan) states that "Over 90 percent of the county is zoned for Rural Residential" (2020 Lyon County Master Plan, p. 2.3, "Key Facts and Trends"). Master Plans, as explained in Chapter 1 of the 2020 Plan, are advisory—and serve as a "general policy document to guide the physical development of the county." The goals, policies, and strategies outlined in the Master Plan provide guidance for the reviewing parties to weigh. The proposed land use for this application, Suburban Residential, would be matched with SR- ½, SR-12000 and SR-9000 to be consistent with adjacent, existing development to the west and north.

This zoning will not have an increase on the existing platted density for suburban development and proposed to be consistent with existing lot sizes and applicable zoning. In addition, the SR-9000 and SR-12000 zoned lots will maintain the same setbacks as prescribed for SR- ½. Existing properties to the west, further from US 95 A have densities greater than this even though further from the main transportation core, which does not match planned development (that is, less dense as distance from main center increases).

The applicant has dedicated banked water for the development of the lots as residential and is currently paying towards the sanitary sewer hookups that have been provided to each individual lot, which demonstrates that County's understanding of the land being developed as originally planned, that is, as residential lots.

Chapter 2 of the 2020 Master Plan Update: **Communities**

In Chapter 2 of the Lyon County Master Plan, each of the Lyon County communities and their land use goals are described. The Silver Springs Community, where these existing parcels reside, includes goals especially relevant in Silver Springs:

Goal LU 2: Services Coordinated with Growth

Urban and suburban development will locate in Suburban Districts that can be served by municipal water and sewer and that are close to other municipal services and not "leapfrog" into rural areas. Conversely, low-density rural development should not occur in existing or planned suburban areas. ---- The proposed project meets this goal by providing needed

residential services with existing infrastructure in place and for many lots, payments for hook ups.

Goal FS 1: Provision for Services
Policy FS 1.1 Location of New Development

New 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 proposed project meets this goal by providing needed residential services with existing infrastructure in place and for many lots, payments for hook ups.

b. 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.

Response

This zoning will match the parcels to the west and how the property was originally platted: to have access off Elm Street for residential use in lieu of access of US 95 A, which would be necessitated for existing commercial zoning and Mixed Use Master Plan Designation. The current speed limit sign for traffic traveling in the southbound lane (which would abut the commercial frontage) is not currently a logical or feasible speed to enter a commercial development. It is believed US 95 A as designed and managed by the Nevada Department of Transportation (NDOT) is not intended for access via directly from US 95 A to a commercial development with these speeds.

In addition, for further neighborhood "feeling" of Silver Springs Number 3, the rear of the lots are proposed to have a solid sound wall (CMU or Precast wall) to isolate the residential character from the highway and traffic noise.

c. 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.

Response

This layout of the Silver Springs Unit Number 3 was to have access via Elm Street, and not via US 95 A, which has speed limits of 65 mph. Many parcels that are currently developed in existing commercially zoned properties and closer to the Silver Stage "core", that is round about, are either left in disrepair and out of business, or not developed at all. By asking for properties to be developed the same uses, when either further from the "core", is not supported by the market or the "number of roof tops" to support more services when existing ones are defunct or not be fully utilized.

In addition, per Page 3.16 of the Master Plan, *"Mixed Use development should be located where it may be readily served by existing or future transit and should be designed with clear pedestrian connections to transit stops and surrounding development."* --- There currently is no pedestrian corridor (sidewalks or paths) along US 95 A and this area is not considered safe for pedestrians due to the signed speed limits.

d. 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.

Response

The current layout will not have an adverse effect on the implementation of the master plan goals as currently existing "Mixed Use" Master Planned Areas that are commercially zoned are not being developed closer to the "core" of Silver Springs, which would be the natural market progression. In addition, areas that are currently defunct in these areas can be redeveloped to meet these needs in lieu of "leap frogging" to undeveloped areas further from the "core".

The proposed amendment will not have an adverse impact on the public health, safety and welfare. It will provide economies of location due to its proximity / adjacency to existing infrastructure and fire services.

e. 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. (Ord. 603, 11-1- 2018)

Response

Chapter 3 of the 2020 Master Plan Update: **Land Use, Economy and Growth**

In Chapter 3 of the Lyon County Master Plan, it is stated that Lyon County will grow in an orderly fashion, concentrating development within appropriately designated communities, maintaining the diversity characterized by its settlement patterns and landscapes, providing jobs as well as housing, and sustaining quality public services and facilities.

Goal LU 1: Orderly Growth Patterns
Policy FS 1.1 Location of New Development

Direct and manage development in the county so that it is orderly and fiscally responsible. ---- The proposed MPA and ZMA will facilitate a fiscally responsible managed development by utilizing existing infrastructure designed and sized for residential development with close proximity to services and provide more "roof tops" to support the patronage of existing commercially zoned parcels closer to the "core" that are either currently not developed or defunct.

Goal LU 2: Services Coordinated with Growth
Policy LU 2.1 1.1 Residential Development in Areas with Services

Urban and suburban development will locate in Suburban Districts that can be served by municipal water and sewer and that are close to other municipal services and not "leapfrog" into rural areas. Conversely, low-density rural development should not occur in existing or planned suburban areas. ---- The proposed MPA and ZMA will bring the proposed properties back to their original and initial intent: residential development, which is currently needed in the area and will help support commercial development closer to the "core" with more "roof tops" to increase patronage / customers.

Strategies:

- *Ensure that plans are in place for required services to occur concurrently with all proposed development.* ---- The proposed MPA and ZMA will ensure this.

- *Do not approve new development if it will result in an unacceptable reduction of service levels for infrastructure. Appropriate mitigation may be provided with construction or through proportionately levied impact fees or other such mechanisms to prevent or offset a reduction of service levels.* ---- The proposed MPA and ZMA will not reduce current levels of service. Should the parcels stay as "Mixed Use" and commercially zoned, the development as such would have a significant impact on NDOT's managed US 95 A transportation thoroughfare and will may not be serviced due its Access Management Plan.

Chapter 7 of the 2020 Master Plan Update: **Public Facilities and Services**

Goal FS 1: Provision of Services

Municipal water and sewer systems will be expanded only in areas where they are cost effective, and with preparation of a Utilities Master Plan.

Policy FS 1.1: Location of New Development

New 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 proposed MPA and ZMA will facilitate a fiscally responsible managed development by utilizing existing infrastructure designed and sized for residential development with close proximity to services and provide more "roof tops" to support the patronage of existing commercially zoned parcels closer to the "core" that are either currently not developed or defunct.

Zoning Map Amendment Findings and Responses

15.220.05: FINDINGS FOR ZONING MAP AMENDMENTS:

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;

Response

With the approval of a Master Plan Amendment, changing the land use from Mixed Use to Suburban Residential, the proposed zone changes, from Neighborhood Commercial, NC, and General Commercial, GC, would align with the adopted master plan and the underlying land use designation.

B. That the proposed amendment will not be inconsistent with the adequate public facilities policies contained in this title;

Response

The proposed amendment would not be inconsistent with public facilities policies in this title. As noted above, there are public utilities, roadways, and other infrastructure in place now for the appropriate development, as it was originally designed and proposed, that is, residential.

C. That the proposed amendment is compatible with the actual or master planned adjacent uses. (Ord. 603, 11-1-2018)

Response

The existing lots to the west and north, located within Silver Springs Number 3, are comparable in zoning and land use. In fact, many lots to the west have been subdivided subsequent to the platting of Silver Springs Number 3 and have a higher density than that proposed by the proposed zoning. The development of the seventeen (17) lots will be less dense / than those to the west and will not provide intrusion or light and sound pollution that would be the impact if the subject parcels were to be developed commercially.

Lyon County Board of County Commissioners Agenda Summary

Meeting Date: December 7, 2023

Agenda Item Number:
13.e

Subject:
For Possible Action: Approve a Conditional Use Permit request from Steven Cruz to allow a new modular scale house building, electric weigh scales, and portable restrooms at an existing aggregate pit operation on an approximately 137.35-acre site comprised of two parcels located approximately 5,700 feet to the northwest of the intersection of Enterprise Way and E. Highway 50, at 3750 E. Highway 50 in Dayton (APNs 016-401-74, 75) PLZ-2023-068.

Summary:

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:

ATTACHMENTS
- Staff Report
- Backup

Community Development Department

Steven Cruz

CUP

PLZ-2023-068

Board of County Commissioners

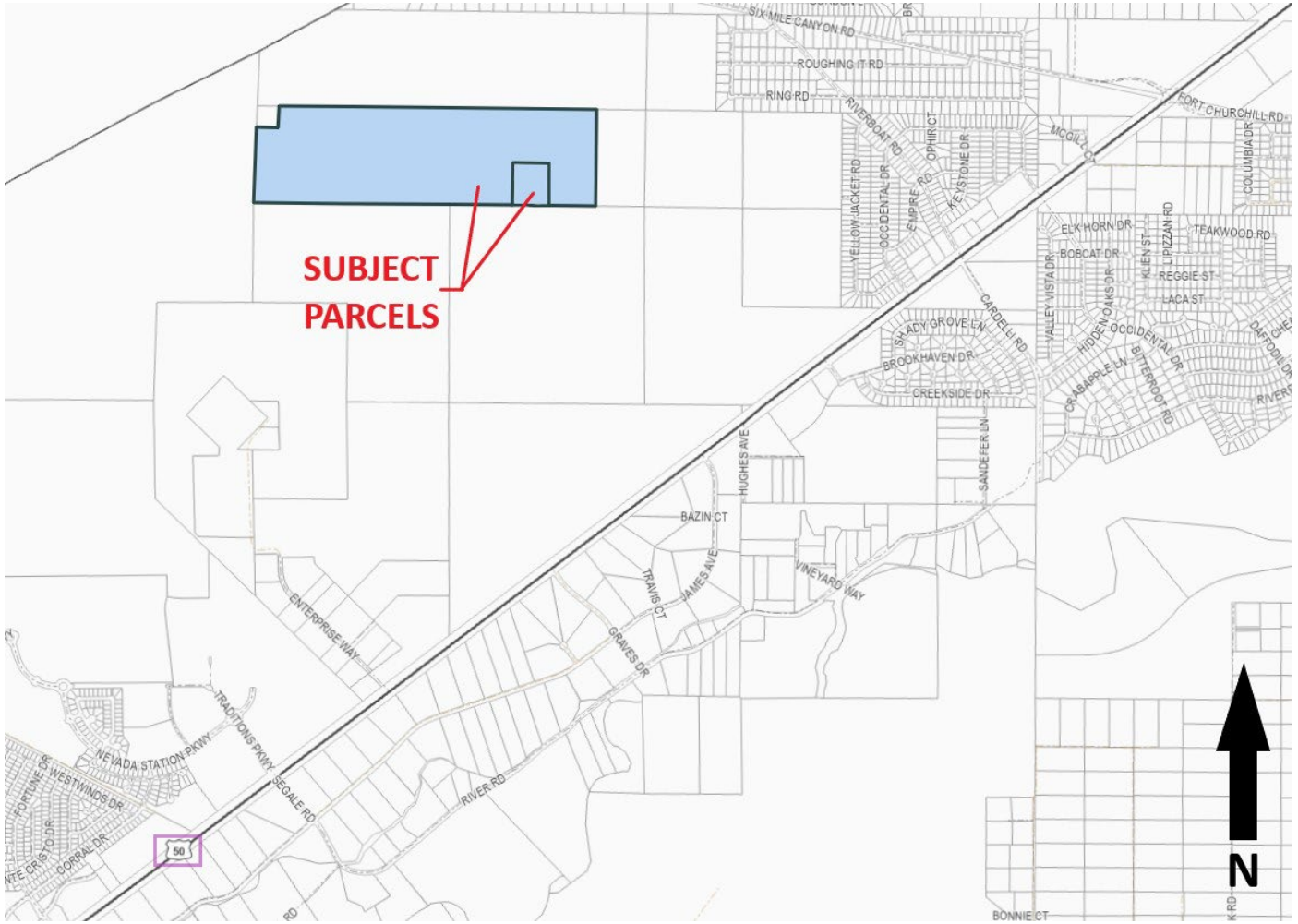
December 7, 2023

Applicant Request

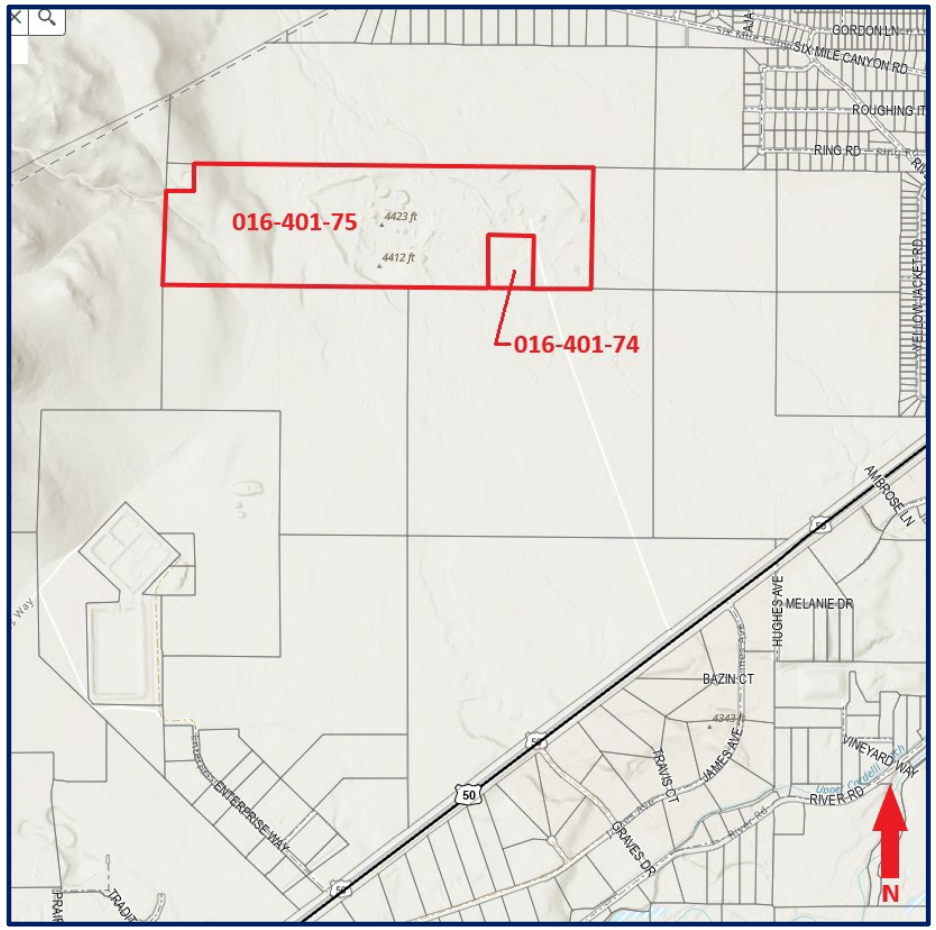
The Applicant requests a **Conditional Use Permit (CUP)** to **allow the construction and operation of a modular scale housing building, electric weigh scales, and portable restrooms on the subject parcels**, totaling **137.35 acres** in size (6.45 acres + 130.90 acres) at an existing aggregate pit operation.

Community Development Department

Location Map – Dayton, north of Hwy 50



Project Summary



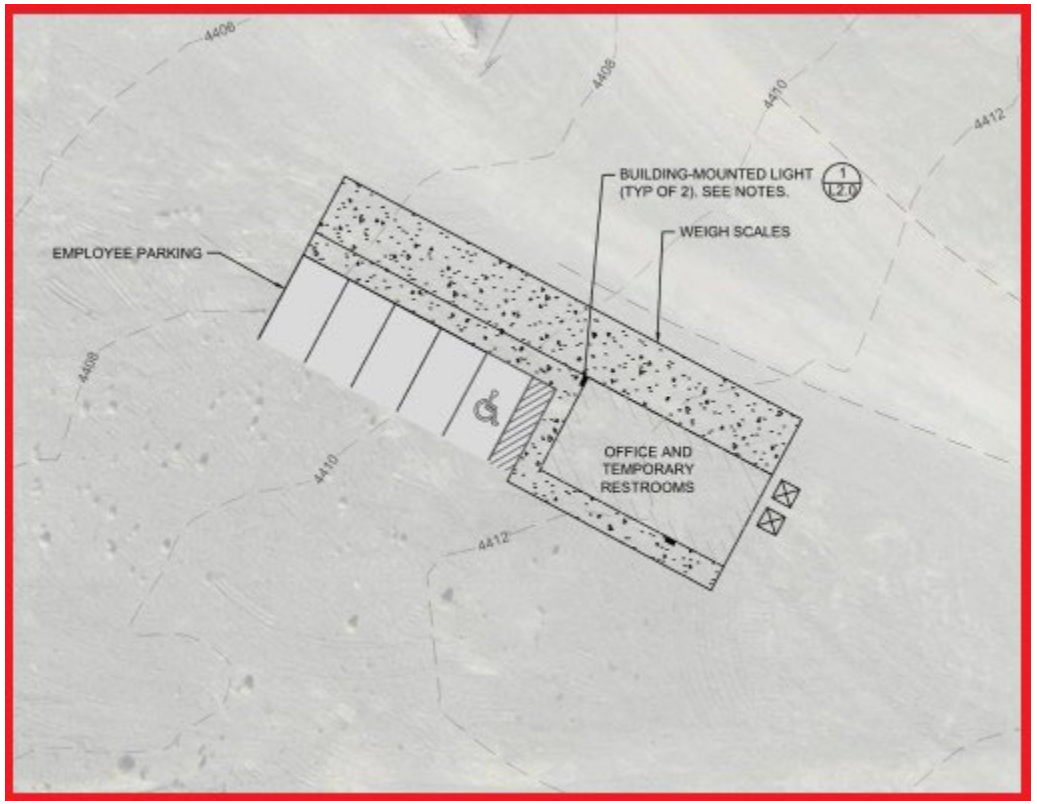
APNs:
016-401-74
016-401-75

Total Area:
137.35 acres in size (6.45 acres + 130.90 acres)

Topography:
Site slopes down about 200 feet from northwest to southeast

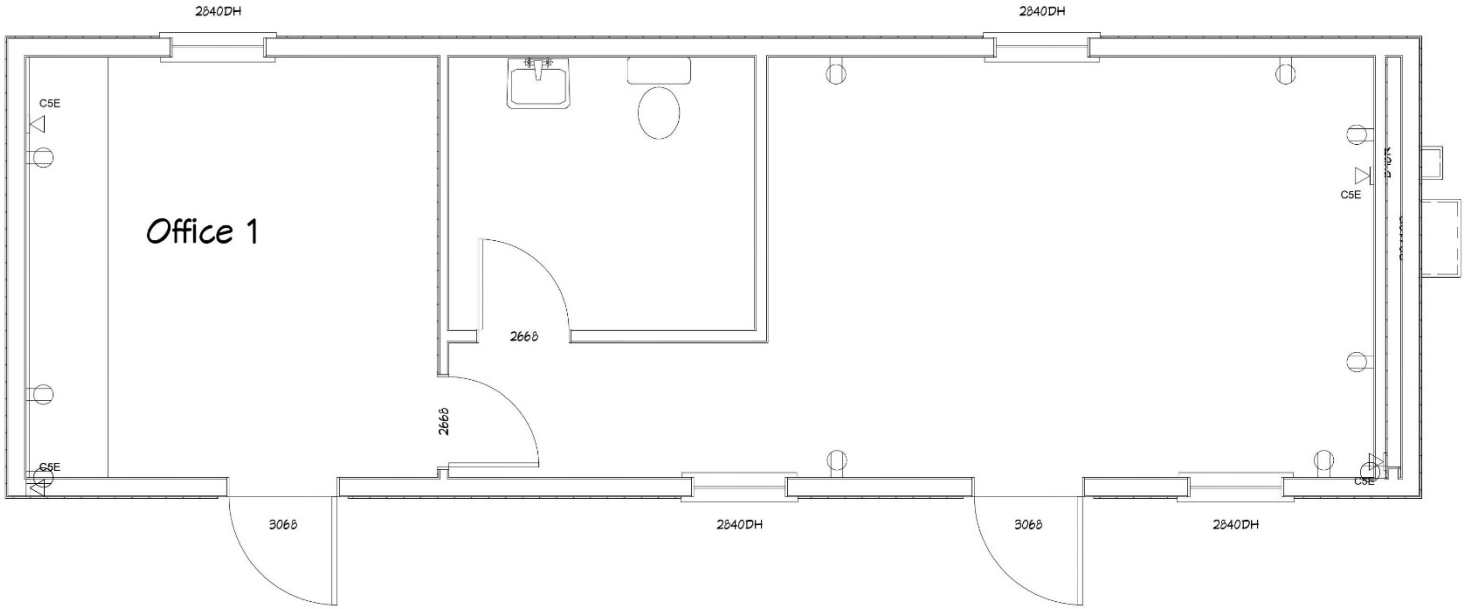
Site Plan


SIX MILE CANYON ROAD
SEE SHEET C2.1
FUTURE DENNIS WAY COUNTY EASEMENT 50 FT
APN 016-401-34
APN 016-401-30
APN 016-401-75
APPROXIMATE ALIGNMENT OF PROPOSED ELECTRICAL SERVICE (BY NV ENERGY)
CRUZ CONSTRUCTION PROPERTY BOUNDARY
APN 016-401-74
APN 016-401-29
APN 016-401-03
SITE ACCESS AND PROPOSED WEIGH STATION
PROPOSED TRANSFORMER (BY NE ENERGY)
APN 016-401-13
APN 016-401-12
APN 016-401-29
APN 016-402-22
PARCEL BOUNDARY (TYP)
EX 60' ACCESS EASEMENT
50' ACCESS EASEMENT
ENTERPRISE WAY
FUTURE DENNIS WAY COUNTY EASEMENT 50 FT
60' ACCESS EASEMENT

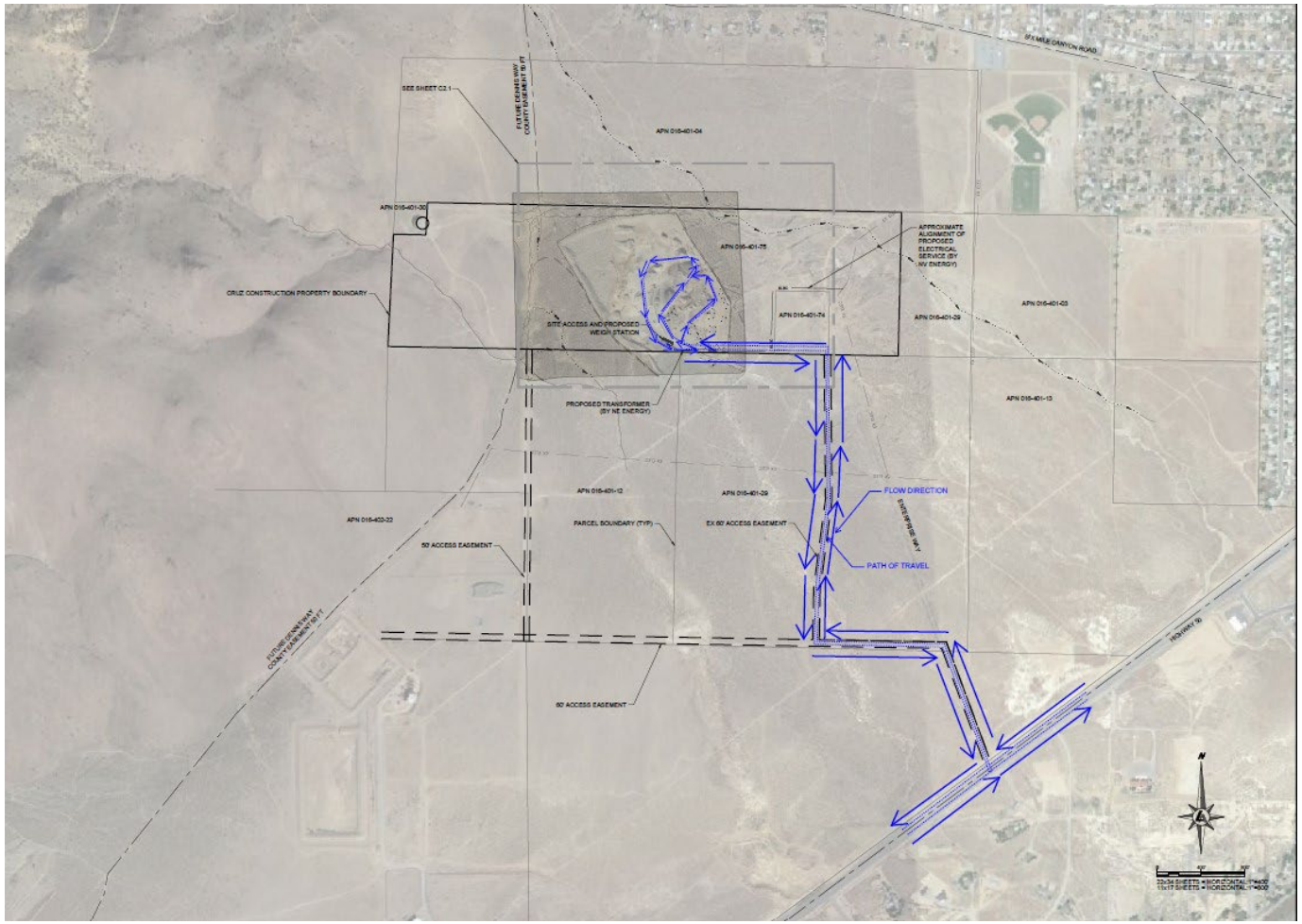

4406
4408
4410
4412
BUILDING-MOUNTED LIGHT (TYP OF 2). SEE NOTES.
1
L2.0
WEIGH SCALES
EMPLOYEE PARKING
OFFICE AND TEMPORARY RESTROOMS

Office Floorplan

Cruz Construction - 12x32 WET



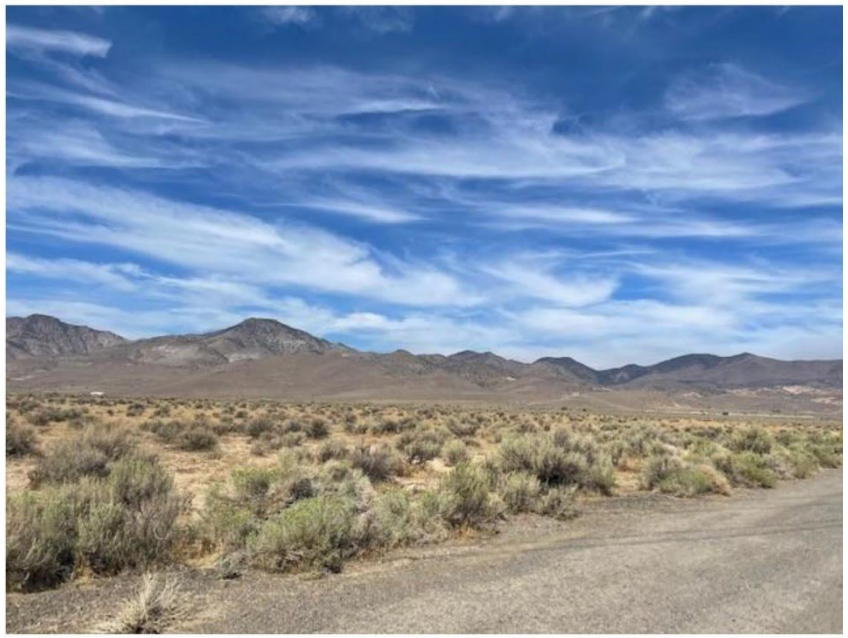
Access and Circulation



Site Photos



Existing Access Road from Highway 50



Facing Northwest Toward Site from Access Road



Existing Site Showing Aggregate Mining Operations

Community Development Department

Conditional Use Permit

Per Title 15, **Aggregate, Sand and Gravel Extraction and Processing** requires applicants to attain a Conditional Use Permit **(CUP).**

TABLE 15.320-1

TABLE OF ALLOWED USES - RURAL RESIDENTIAL, COMMERCIAL MIXED USE, COMMERCIAL AND AGRICULTURAL/RESOURCE ZONING DISTRICTS

P = Permitted; C = Conditional use permit required; T = Temporary use permit required; - = Not permitted

Use Category	Use Type	Rural Residential					Use Specific Regulations (Code Reference)
		RR-20	RR-10	RR-5	RR-2	RR-1	
Industrial uses (also see table 15.320-4 of this section):							
Resource extraction and processing	Aggregate, sand and gravel extraction and processing (including asphalt batch plants)	C	C	-	-	-	Chapters 336 and 337

TABLE 15.320-4

TABLE OF ALLOWED USES - EMPLOYMENT AND INDUSTRIAL ZONING DISTRICTS

P = Permitted; C = Conditional use permit required; T = Temporary use permit required; - = Not permitted

Use Category	Use Type	LI-R	LI-S	HI-R	HI-S	SI	EMU	XX	Specific Use Requirements (Code Reference)
Industrial uses:									
Resource extraction and processing	Aggregate, sand and gravel extraction and processing (including asphalt batch plants)	C	C	C	C	-	-	-	Chapter 336

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 Highlights – summaries from Staff Report

- The uses are **Consistent with the Master Plan's** contemplated uses for land with the designation of **Heavy Industrial - Suburban within a Suburban Character District.**

- The applicant will be responsible for meeting the conditions in this CUP, will need to submit Site Improvement and Building Permits and the conditions will serve to mitigate potential impacts on neighboring residential properties to the northeast.

- Site access already exists from Highway 50 and the roadways will not be overburdened by this project as outlined in the updated Traffic Evaluation.

Planning Commission

- At the November 14, 2023 Planning Commission Meeting, **the application was approved by a majority vote** (5 Ayes; 2 Nay, Commissioners Carlson and Ewing; 0 Abstentions) to forward a **recommendation of approval** to the Board of County Commissioners.

- There was discussion by the Planning Commission with regard to concerns about additional truck traffic entering and existing Highway 50.

Community Development Department

Questions for Staff





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

STAFF REPORT AND PLANNING COMMISSION ACTION

PLZ-2023-068:	Request for a Conditional Use Permit from Steven Cruz to allow a new modular scale house building, electric weigh scales, and portable restrooms at an existing aggregate pit operation on an approximately 137.35-acre site comprised of two parcels located approximately 5,700 feet to the northwest of the intersection of Enterprise Way and E. Highway 50, at 3750 E. Highway 50 in Dayton (APNs 016-401-74, 75).
Proposed Action:	Conditional Use Permit for a modular building, weigh scales and portable restrooms at an existing Aggregate Extraction site.
Meeting Date:	November 14, 2023
Property Owner:	N.V. Aggregates LLC
Applicant:	Steven Cruz
Location:	Dayton
Parcel Numbers:	016-401-74, -75
Parcel Size:	137.35 acres total (6.45 + 130.90 acres)
Master Plan:	Open Space, Low Density Residential, Suburban Residential
Zoning:	HI-S (Heavy Industrial – Suburban) and RR-20 (Rural Residential District, 20 acre minimum)
Flood Zone(s):	Zone AO, Zone X Shaded, Zone X Unshaded per FIRM 32019C0291F
Case Planner:	Lisa Nash

REQUEST

The applicant is requesting a Conditional Use Permit (CUP) to allow the construction and operation of a new modular scale house building, electric weigh scales, and portable restrooms at an existing aggregate pit operation in Dayton.

PROJECT SUMMARY

The applicant's proposal includes the construction of a new modular scale house building, electric weigh scales, and portable restrooms at an existing aggregate pit operation in Dayton. Equipment that would be used in the proposed operations would include excavators, wheel loaders, crushers, water trucks, and other specialty equipment. Commercial sale of aggregate will expand and no expansion of the existing aggregate pit is proposed.

PLANNING COMMISSION RECOMMENDATION

At the November 14, 2023 Planning Commission meeting, by majority vote (5 Ayes; 2 Nay, Commissioners Carlson and Ewing; 0 Abstentions), the Planning Commission motioned to forward a recommendation of approval to the Board of County Commissioners for a Conditional Use Permit. Planning Commission concerns and questions focused on additional truck traffic in the Dayton area.

RECOMMENDED MOTION: APPROVAL

If the Board determines that they will approve the Conditional Use Permit, then the Board may want to consider a motion similar to the following:

The Lyon County Board of County 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 Board of County Commissioners approve the request by Mr. Steven Cruz for a Conditional Use Permit to allow a new modular scale house building, electric weigh scales, and portable restrooms at an existing aggregate pit operation on an approximately 137.35-acre site comprised of two parcels located approximately 5,700 feet to the northwest of the intersection of Enterprise Way and E. Highway 50, at 3750 E. Highway 50 in Dayton (APNs 016-401-74, -75) PLZ-2023-068.

CONDITIONS OF APPROVAL

1. No change in the terms and conditions of the Conditional Use Permit (CUP), as approved, shall be undertaken without first submitting the changes to Lyon County Community Development and having them modified in conformance with Lyon County Code.
2. The applicant shall comply with all applicable Fire, building, zoning and improvement code requirements and obtain any necessary public inspections.
3. The applicant shall acquire all Lyon County, state and federal permits necessary for the operation of the aggregate pit and its accessory uses as well as obtain all of the necessary public inspections.
4. Prior to any development activity, as defined in Lyon County code section 15.02.01, occurring on the property that is located within an AO flood zone, the applicant shall secure approval of a flood plain development permit through the County Engineer.
5. The applicant shall meet all traffic control requirements placed on the business enterprise by the Nevada Department of Transportation, the County Engineer, the Lyon County Road Manager, special purpose districts and any other jurisdictions with approval authority.
6. All contractors doing any construction, modifications, or remodels must be licensed in Lyon County and the State of Nevada.
7. All construction documents and separate applications must be submitted to the Central Lyon County Fire Protection District and the Lyon County Building Department for review and approval to obtain a Building Permit.
8. The applicant shall comply with Central Lyon County Fire Protection District requirements.
    a. A fire plan subject to review and approval of Central Lyon County Fire Protection District is required prior to the start of operation of the proposed asphalt batch plant.
    b. The site's access and circulation in and around any structures, storage areas, and parking areas shall comply with the County and Central Lyon County Fire Protection District access and turning radius standards.
9. The existing access road to the subject parcel along Enterprise Way shall be re-aligned to be within the existing access easement and paved to accommodate the anticipated traffic loads that will be generated by the proposed operations.
10. This project is within the water service boundaries of the Lyon County Utilities Department (LCUD). The applicant is required to submit an application to the Utilities Department, and is subject to the following Conditions.
    a. LCUD will require the applicant to provide an engineered solution for permanent water delivery to this property. The current method of drawing water out of a fire hydrant and storing in a stand tank is not an acceptable method.
    b. This property has a 12" water main on APN 016-401-75.
    c. No LCUD sewer in this area.
    d. Any proposed connection to the existing LCUD water system will require a permit submission and approval prior to construction.
    e. All connections to the LCUD water infrastructure will require an approved backflow preventer.

f. 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. I recommend contacting 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.

g. Water Rights will be required for any industrial and irrigation use.

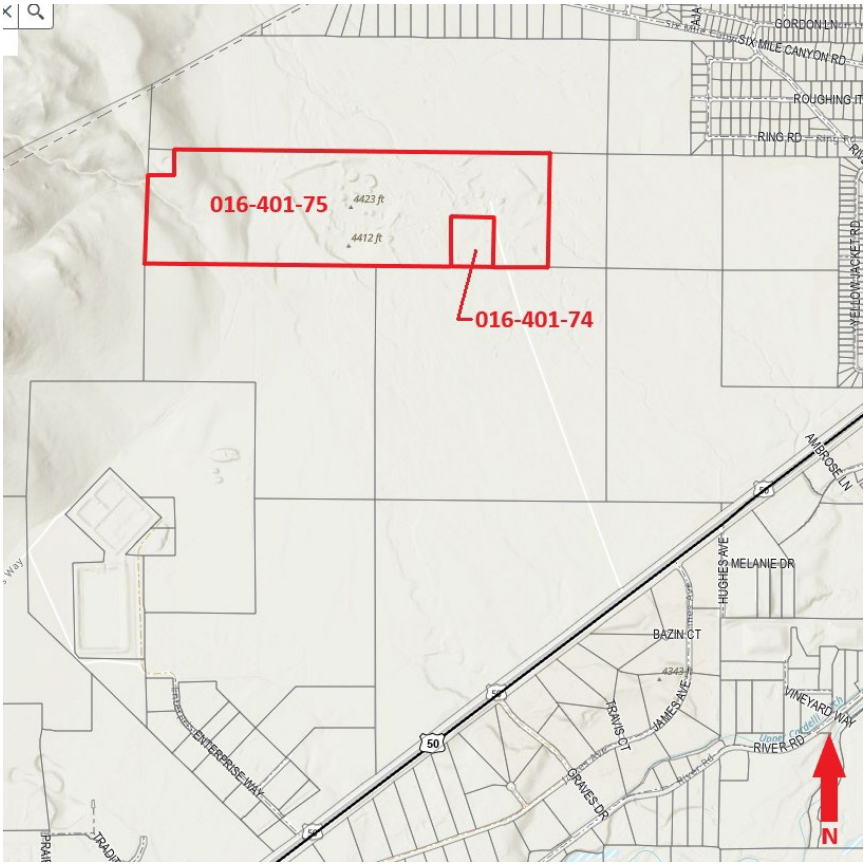
h. Water Connection fees will be required for any industrial and irrigation needs.

11. The proposed use shall comply with all of the Performance Requirements for Industrial Uses provided in Lyon County code section 15.337.03, including but not limited to all requirements pertaining to lighting, noise, odor, dust, dirt, and smoke. Should the proposed use fail to comply with the Lyon County Code, the Conditional Use Permit may be revoked.
12. A sign with contact information and phone number for the site operator shall be posted at the front gate, visible from the public right of way.
13. The hours of operation of the weigh scale shall be limited to 7:00 AM – 5:00 PM Monday through Friday.
14. The applicant shall maintain a Lyon County business license for the use while occupying the site.
15. The applicant shall comply with Lyon County's 2018 revised drainage guidelines to the satisfaction of the County Engineer prior to occupancy.
16. The substantial failure to comply with the conditions imposed on the issuance of this conditional use permit or the operation of the conditional use in a manner that endangers the health, safety or welfare of Lyon County or its residents or the violation of ordinances, regulations or laws in the conditional use may result in the institution of revocation proceedings. **Failure to initiate the conditional use permit within one (1) year from the date of approval or to complete all project installation work related to the conditional use permit within two (2) years from the date of approval will result in the expiration of the conditional use permit approval.**

BACKGROUND INFORMATION

Location

The subject property is generally located in Dayton on the north side of Highway 50 between Enterprise Way and Riverboat Road, southwest of the Canyon Estates and Mark Twain Estates subdivisions.



Site History

The aggregate pit was originally established with the approval of a special use permit application heard in conjunction with a rezoning request in January 1983. The property ownership changed hands in 1990 which was reviewed through the Special Use Permit review process. In 2014, the Special Use Permit was revoked due to a lack of activity on the site. In 2017, applicant Q & D Construction and property owner Chase Property Group, LLC obtained approval of a new Special Use Permit to re-establish and operate the aggregate pit again (PLZ-2017-0001).

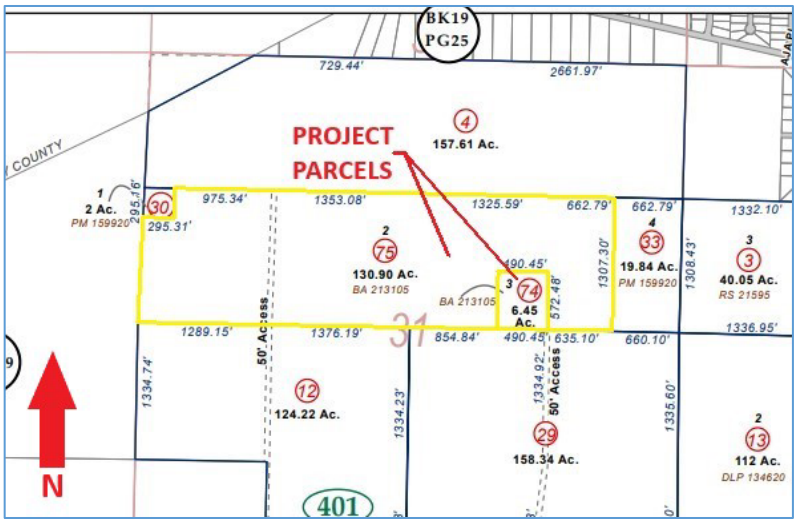
Existing Operations

Under the existing Special Use Permit for the aggregate pit (PLZ-2017-0001), the facility utilizes excavation equipment (loaders, excavators and bulldozers), crushing and screening equipment, washing equipment, water trucks, a loader scale and transportation equipment (semi-trucks and dump trailers). Aggregates including sand, gravel, rocks and boulders are extracted from within the subject property's boundaries. The processing includes (as required by the product type) crushing, washing, screening and stockpiling of materials. Materials are also stockpiled into segregated locations, by type, within the property to be loaded into dump trailers for transportation to individual construction sites. It should be noted that, although the current aggregate pit use under Special Use Permit PLZ-2017-0001 does not include a batch plant, the original 1983 approval of the aggregate pit included an asphalt hot mix plant as well as a concrete batch plant on-site; however, operations under that 1983 approval fell inactive causing that Special Use Permit to be revoked in 2014.

Due to concerns of potential contamination resulting from the historic release of mercury within the Carson River Mercury Superfund Site (CRMS), Special Use Permit PLZ-2017-0001 required satisfaction of stipulations by NDEP related to disturbing soil on the property. Cruz Construction agreed to conduct a limited soil investigation for total mercury in accordance with a NDEP-approved Sampling and Analysis Plan. This investigation was within a specific contiguous area of the property formerly developed as an aggregate pit and indicated by Cruz Construction for redevelopment as a commercial aggregate operation (see attached "No Further Action (NFA) Letter" map Figure 4). NDEP found that total mercury concentrations were less than the 11 mg/kg action level within the specific study area; therefore, NDEP determined that no further action or remediation is required to be protective of human health and the environment. Should the Applicant in the future seek to mine sand and gravel beyond the limits of the area that was characterized in the NDEP Work Plan and NFA, then further review by NDEP would be required. Such a proposal would also require approval of a CUP by Lyon County.

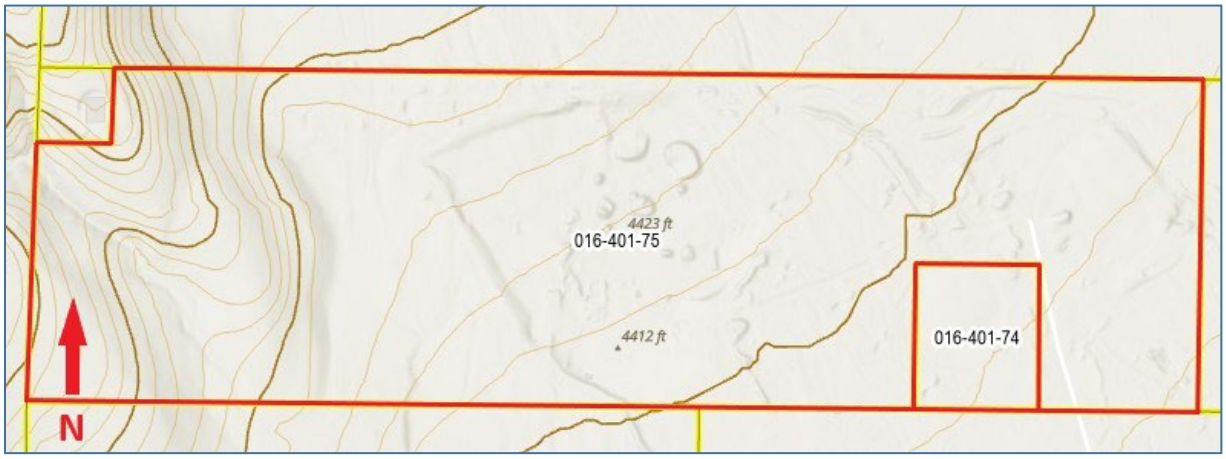
Subject Parcel Size

The subject property is comprised of two parcels: APN 016-401-74, a 6.45-acre parcel, and APN 016-401-75, a 130.90-acre parcel. The existing aggregate pit (and the site of the proposed weigh station) is located within an approximately 50-acre portion of the 130.90-acre parcel. The subject parcels are indicated with red stars in the image below.



Topography

The subject parcels slope gradullay upward from east to west, with its steepest elevation in the far west portion of the parcel, which is outside of the proposed project area. Ten-foot contours are shown in the image below.



Site Photos

The images below and on the following page were provided by the applicant.



Photo 1 - Existing Access Road approaching site from Highway 50



Photo 2 – Adjacent property facing northwest toward site from access road



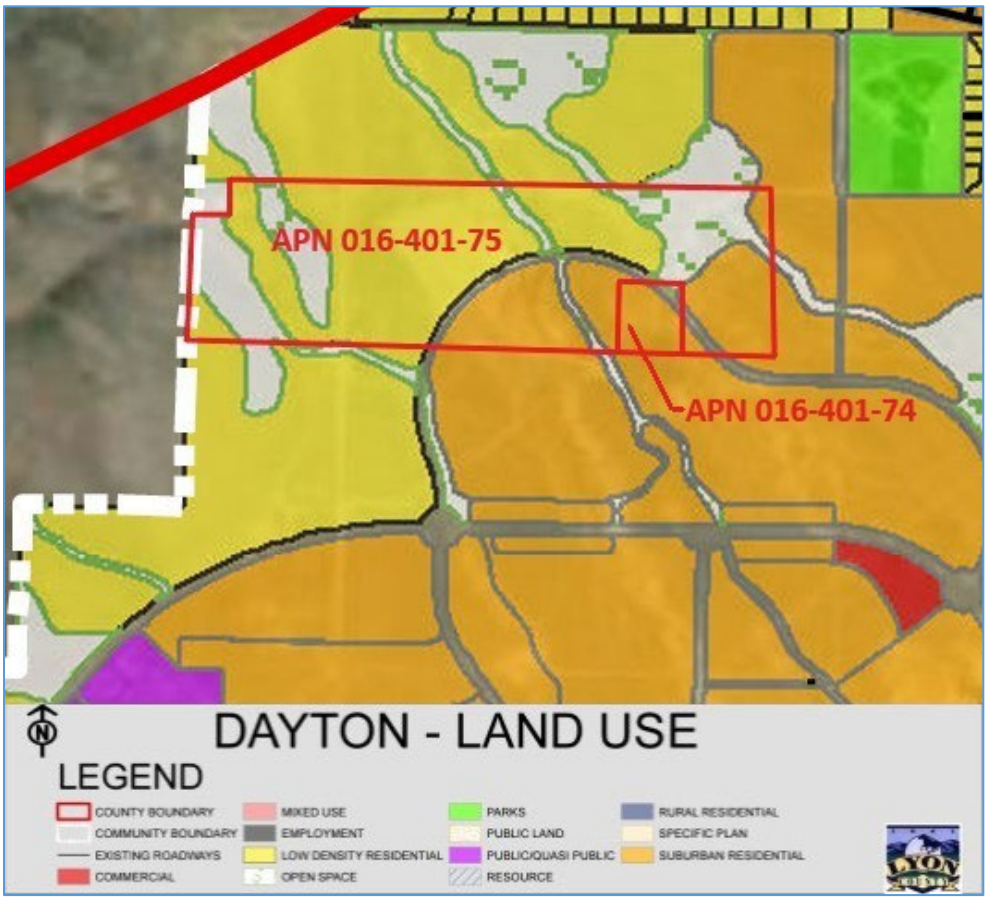
Photo 3 – Existing site showing aggregate mining operations



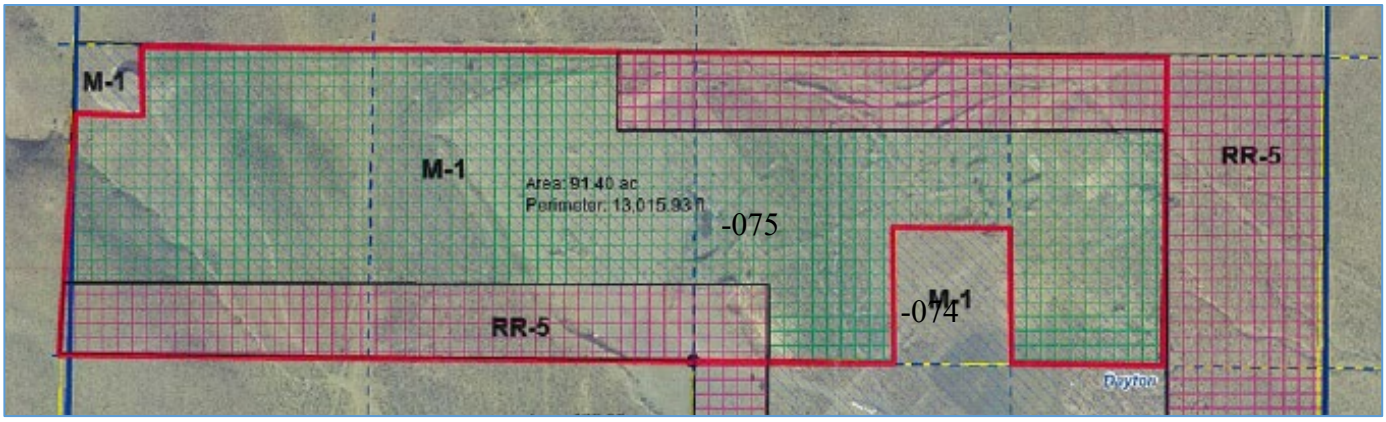
Photo 4 – On site facing entrance gate at southeast corner of subject parcel

Master Plan and Zoning

The 2020 Master Plan land use designations for the property are Open Space, Low Density Residential, and Suburban Residential, as shown in the image below.



The subject property is currently zoned both M-1; General Industrial (HI-S Heavy Industrial- Suburban Title 15) and RR-5; Fifth Rural Residential-20 acre minimum (RR-20- Rural Residential 20 acre min Title 15) under Title 10, as shown in the image below.



Per the Zoning Consistency Matrix, excerpted below, which was adopted with the 2020 Master Plan, Title 10 zoning designations have been replaced with Title 15 zoning designations. Projects in the former M-1 zone under Title 10 should be reviewed with the land use and development regulations of the HI-S (Heavy Industrial – Suburban) zoning district in Title 15. Projects in the former RR-5 zone under Title 10 should be reviewed per the regulations of the RR-20 (Rural Residential, 20 Acre Minimum) in Title 15.

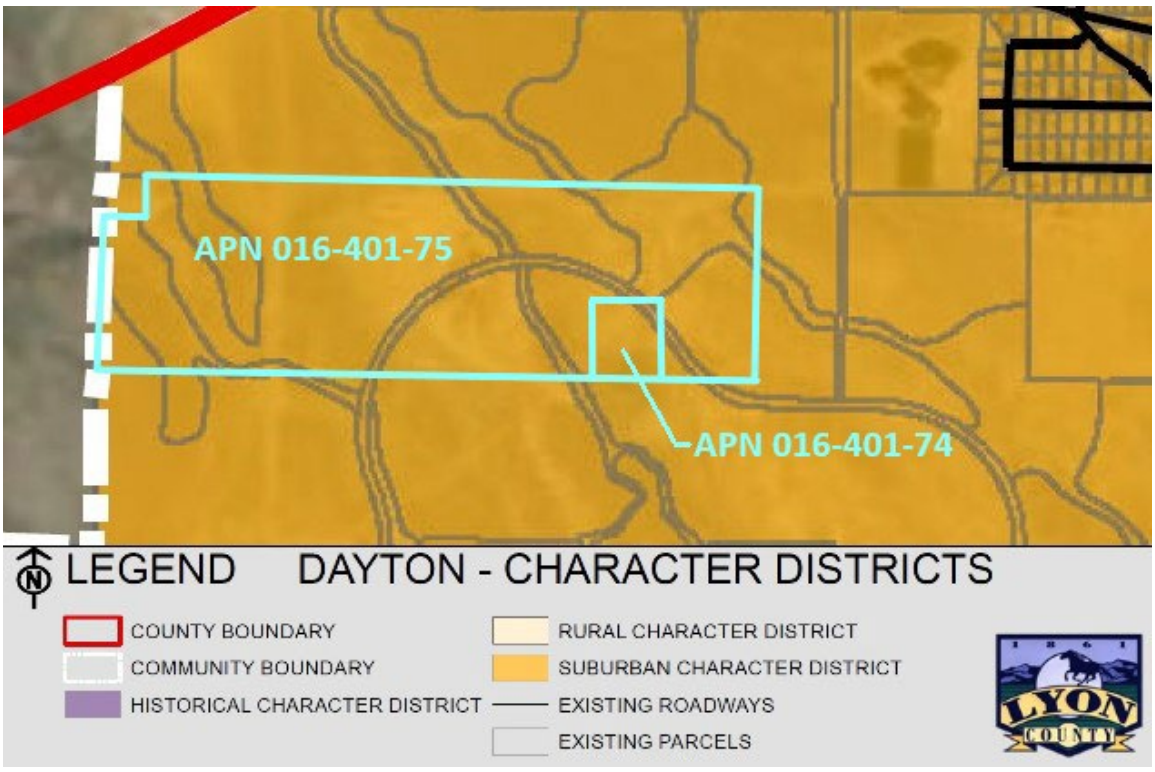
Exhibit A
Zoning Consistency Matrix

TITLE 15 ZONING CLASSIFICATION	CURRENT TITLE 10 ZONING CLASSIFICATION
Rural Character Districts	
RR-20, Rural Residential, 20 Acre Minimum[1]	RR-5, Fifth Rural Residential District (20 Acres)
Suburban Character Districts	
HI-S, Heavy Industrial - Suburban	M-1, General Industrial District

[1] The Title 10 provisions for mining (including the acts and processes involved in extracting ore from a mineral deposit, generally to include hauling, blasting, milling and refining, but not including prospecting and exploration for minerals of commercial value where less than one thousand five hundred (1,500) cubic yards is removed in any one location of five (5) acres or less; geological, geochemical and geophysical mapping) as a land use requiring a Conditional Use Permit in specific zoning districts (RR-5, RR-10, RR-20 in Title 10 and OS, PL, and RL in Title 15) and regulations for Mining in the Comstock Historic District (Chapter 10.10 in Title 10) shall remain in effect until or unless specific mining regulations are adopted for Title 15.

Character District

The subject property is located in the Dayton Suburban Character District. Suburban Districts include those areas that are predominately medium to high density residential development with regional/community commercial, neighborhood, industrial, and employment uses.



Land Use

Development of the subject property is governed by the land use and development regulations of the HI-S (Heavy Industrial – Suburban) and the RR-20 (Rural Residential, 20 Acre Minimum) zoning districts, as provided in Title 15. Per Tables 15.320-1 and 15.320-4 of the Lyon County Code (excerpted below), *Aggregate, sand and gravel extraction and processing (including asphalt batch plants)* require approval of a Conditional Use Permit in the RR-20 and HI-S zoning districts, respectively.

TABLE 15.320-1
TABLE OF ALLOWED USES - RURAL RESIDENTIAL, COMMERCIAL MIXED USE, COMMERCIAL AND AGRICULTURAL/RESOURCE ZONING DISTRICTS

P = Permitted; C = Conditional use permit required; T = Temporary use permit required; - = Not permitted

Use Category	Use Type	Rural Residential					Commercial Mixed-Use		Agricultural/Resource				Commercial		Use Specific Regulations (Code Reference)
		RR-20	RR-10	RR-5	RR-2	RR-1	CMU-R	HMU-R	AG	NIA	RL	PL	NC	TC-R	
Industrial uses (also see table 15.320-4 of this section):															
Resource extraction and processing	Aggregate, sand and gravel extraction and processing (including asphalt batch plants)	C	C	-	-	-	-	-	-	-	C	C	-	-	Chapters 336 and 337
	Wood treatment	-	-	-	-	-	-	-	-	-	-	-	-	-	Chapter 337
Energy production and	Fossil or alternative fuel generating	-	-	-	-	-	-	-	-	-	C	C	-	-	Chapter 337

TABLE 15.320-4
TABLE OF ALLOWED USES - EMPLOYMENT AND INDUSTRIAL ZONING DISTRICTS

P = Permitted; C = Conditional use permit required; T = Temporary use permit required; - = Not permitted

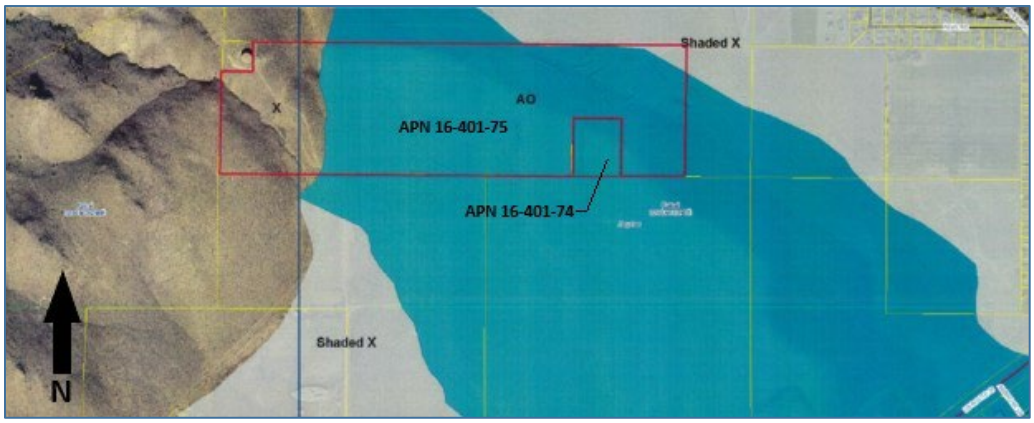
Use Category	Use Type	LI-R	LI-S	HI-R	HI-S	SI	EMU	XX	Specific Use Requirements (Code Reference)
Industrial uses:									
Resource extraction and processing	Aggregate, sand and gravel extraction and processing (including asphalt batch plants)	C	C	C	C	-	-	-	Chapter 336

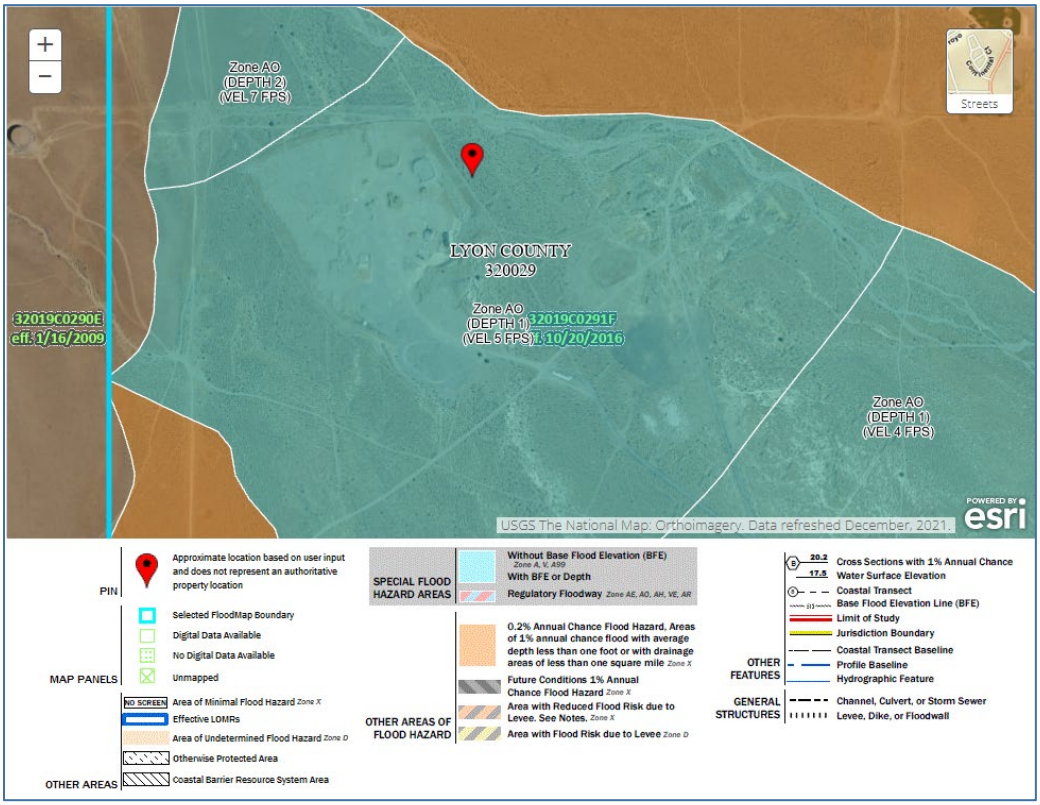
Flood Zone Designation

A large portion of the subject property including the proposed project area is located within the AO Flood Zone as shown on the floodplain maps on the following page. The AO flood zone designation is a special flood hazard area designation. AO zoned areas have a one percent (1%) or greater chance of shallow flooding each year, with flood depths of one to three feet (1'-3'), usually consisting of sheet flow on sloping terrain. Average depths are determined. For areas of alluvial fan flooding, velocities are also determined.

Section 15.800.08(A) of the Lyon County Code states that a development permit has to be approved before construction or development is allowed to begin within any area of special flood hazard established in subsection 15.800.07A of this chapter. The development permit is required for all structures as well as for all development including fill and other activities as defined in 15.1200.

In accordance with 15.800.08(A), the Applicant shall obtain approval of a flood plain development permit prior to any development on the property that is located within an AO zone. This is included as a Condition of Approval for the proposed project.





Public Facilities

An existing 60-foot access easement to the property will be used to facilitate site access from Highway 50 to the asphalt plant. A parcel that previously impeded direct access to the site, APN 016-401-74, was recently acquired by Cruz Construction for continuous access to the site's existing gate along the south side of the parcel. The existing access road to the subject parcel along Enterprise Way will be re-aligned to be within the existing access easement and paved to accommodate the anticipated traffic loads that will be generated by the proposed operations. The new pavement section and dimensions will be designed for the projected traffic loads and serviceability. See the preliminary site plan in the Project Description section of this report for the proposed road alignment from Highway 50 to the site.

PROJECT DESCRIPTION

Per the applicant, the proposed project is described as follows:

This application for a Conditional Use Permit is being submitted to request approval for the use of this property as an aggregate pit, weigh station, and commercial sales of aggregate. This property was permitted and operated for aggregate operations under the previous owner, in addition to the current permitted uses related to the existing aggregate pit, which will continue to operate. The property is located at 3750 East Highway 50, off Enterprise Way, between Dayton and Mark Twain Estates in Nevada. The proposed weigh station will site on approximately 50 acres of the 130.9 available acres (APN 016-401-75). The remainder of the ~131-acre site will be available for mining purposes. Access to the site is across existing access easements or property owned by applicant (see APNs above).

Proposed facilities for this site include a proposed modular scale house building, proposed electric scales, and portable restrooms. The applicant currently has an application in with NV Energy who is currently designing for electrical service to the scales and scale house. Equipment being stored at the site will include excavators, wheel loaders, crushers, water trucks, and other specialty equipment that pertain to these processing operations.

Two employees are expected to operate the site. Security at the site will include locked and secured gate-access at the site's single established entrance. A fence presently surrounds the operational pit area to deter public access. Code minimum site lighting standards will be satisfied for the scales and scale house operations.

The hours of operation will be from 7 AM to 3 PM, Monday through Friday, totaling 8 hours of operation per day on weekdays.

Traffic

The average number of vehicle trips per employee per day is 2.51 trips. Assuming four full-time employees to operate the site, 10 new trips per day (weekdays) are projected.

For the proposed commercial operation, the average number of trucks per day is expected to increase from 21 trucks per day to 40 trucks per day, with a conservative estimate of 5 trucks entering and existing the site during the peak hour of operation (1 truck per 12 minutes). Applying the peak hour trips over the 8 hour day, the estimated number of commercial trips per day is 80.

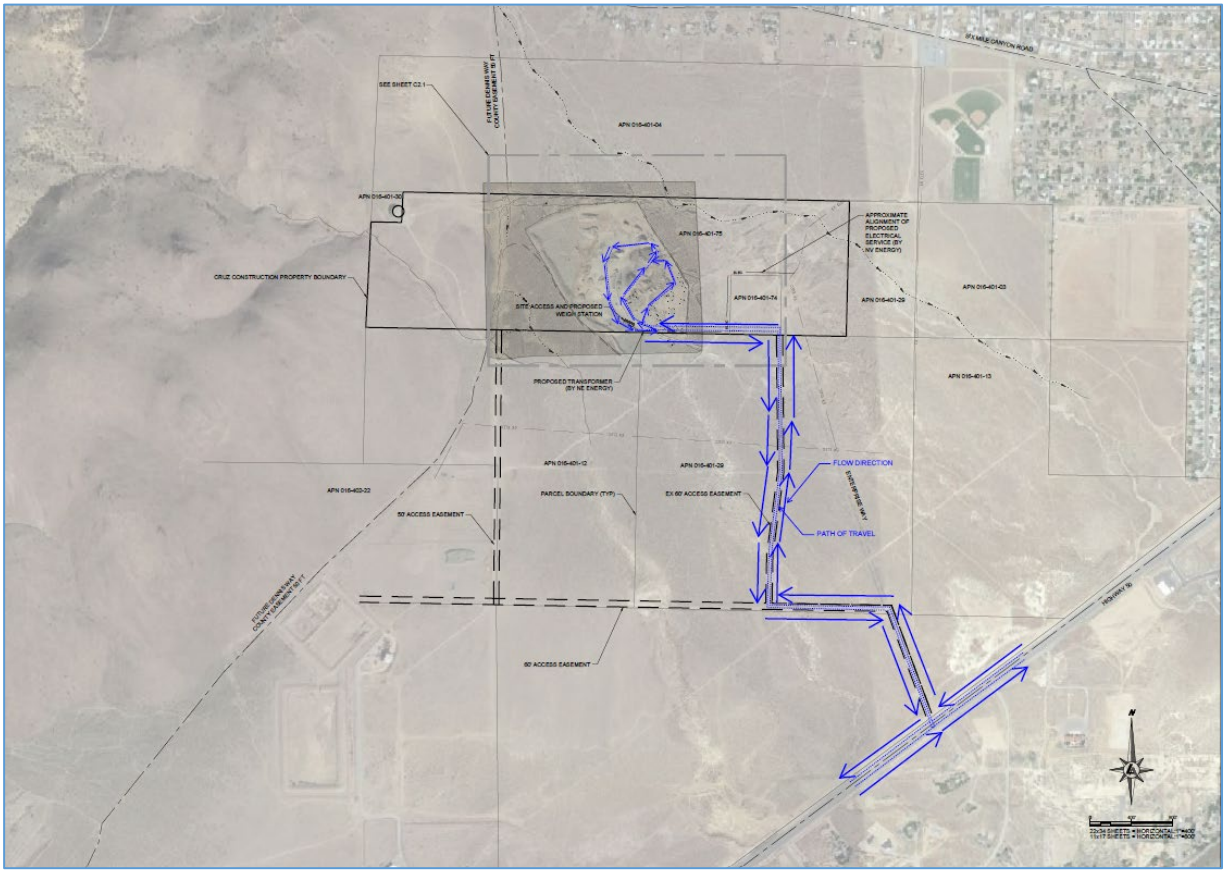
The loading operation will remain unchanged from the existing. Overall trip efficiency is anticipated to slow to approximately 12 minutes per truck due to the weigh-in and payment process at the proposed scales.

Site Ingress/Egress/Circulation

Highway 50 is the only public road connected to the site, and is the primary point of ingress and egress.

Vehicles to the site will be primarily employees. Vehicle circulation will entail a northerly turn off of Highway 50 into the Dayton Pit site, travel on internal roads northerly, then westerly, then northerly once again to park adjacent to the proposed weigh station. Exiting the site will follow the same path of travel, in reverse direction.

Trucks to the site will comprise both Cruz haulers and commercial customers. Trucks will follow the same ingress and egress to the site. Once at the aggregate pit, trucks will follow a counter clockwise pattern for loading operations, proceed in the same counter clockwise pattern to the scale house for weighing and payment, and follow the same egress as vehicular traffic to exit the site.



Truck Routes – Access and Circulation (provided by applicant)

Parking

Per the applicant, the parking analysis is described as follows:

A new scale house and scales are being proposed for the aggregate mining and sales operations at Cruz Construction's aggregate pit site, at 3750 East Highway 50, Dayton NV, located off of Enterprise Way, between Dayton and Mark Twain Estates in Nevada. Proposed facilities at the site include scales for aggregate trucks and a modular scale house with a portable restroom. The modular scale house will require employee parking. This Parking Study provides an estimate of the parking demand based on recommendations from Institute of Transportation Engineers (ITE). This is in accordance with Chapter 401, Schedule C of the Lyon County Land Use and Development Code (Title 15).

This site is zoned as Heavy Industrial-Rural (HI-R) under to Title 15 of the Lyon County code. The most applicable Land Use for this site under the 5th Generation ITE Parking Generation Manual is 140 Manufacturing, which is described as follows:

> *"A manufacturing facility is an area where the primary activity is the conversion of raw materials or parts into finished products. Size and type of activity may vary substantially from one facility to another. In addition to the actual production of goods, manufacturing facilities generally also have office, warehouse, research, and associated functions. General light industrial (Land Use 110) and industrial park (Land Use 130) are related uses."*

The studies performed by ITE for this Land Use resulted in an average parking supply ratio of 1.4 spaces per 1,000 square feet (sq-ft) GFA or 1.4 spaces per employee. The only proposed building at the site is a +/-1,200 sq-

ft modular office at the weigh station, which will be staffed with one or two employees. An additional two employees are anticipated for aggregate loading operations and will park within the pit equipment staging area. The resulting estimated parking spaces are provided below:

No. Spaces = (1,200) sq-ft GFA x 1.4 spaces / 1,000 sq-ft GFA
= 1.68 spaces
≈ 2 spaces (rounded up)
or, No. Spaces = 2 employees x 1.4 spaces / employee
= 2.8 spaces
≈ 3 spaces (rounded up)

To provide a conservative design, 5 parking spaces will be provided at the modular scale house, including one ADA-compatible parking space.

The applicant refers to the zoning district as HI-R (Heavy Industrial – Rural) however, as shown in the Character District map on Page 9 of this report, the zoning district is HI-S (Heavy Industrial – Suburban). With that, Staff agrees with this analysis.

Trip Generation Analysis

Per the applicant, the trip generation analysis is described as follows:

Vehicles

The current version of the ITE's Trip Generation Manual (Edition 11.1) web-based graph was used for the Trip Generation Study for vehicles. Parameters used were as follows; Industrial Manufacturing for Land Use, General Urban/ Suburban for the location and Number of Employeesfor the independent variable. This generated an average trip rate of 2.51 trips per employee per weekday. Assuming four full-time employees (two at the scale house and two at the aggregate pit) to operate the site, ten new trips per day (weekday) are projected.
The supporting graph and line of best fit for the data from the ITE Trip Generation Manual interactive portal is attached to this document for reference. Based on these projections, it is our opinion that the proposed site improvements and operations will have a negligible impact on traffic volumes and patterns on the adjacent Highway 50 corridor based on the minimal increase in vehicle trips generated by the site. Highway 50 is the only public road connected to the site, and is the primary point of ingress and egress. The proposed improvements are not expected to have an impact on the level of service of Highway 50 or surrounding roadways.

Trucks

The current version of ITE's Trip Generation Manual (Edition 11.1) web-based graph was also used to check the expected truck trips generated by the commercial sale of aggregate on site. However, the data set from ITE does not seem to be representative of this relatively small scale operation since the results indicated that only one truck trip per day would result based on the number of employees operating the site. Truck operations and loading time were therefore considered to predict the number of truck trips generated by the site.

The truck analysis is based on the owner's observations of the current private trucking operations. The loading operations can currently accommodate approximately one truck every 10 minutes. With the site being private, there are currently 7 trucks making about 3 runs per day, resulting in 42 trips per day (50% entering, 50% exiting).

For the proposed commercial operation, the loading operation will remain unchanged, while the overall trip efficiency may slow down slightly to approximately 12 minutes per truck due to the weigh-in and payment process at the proposed scales. Therefore, we have conservatively assumed that the peak hour of operation will not exceed 5 trucks per hour (1 truck per 12 minutes). The hours of operation will be from 7 AM to 3 PM, totaling 8 hours of operation per day. Applying the peak hour trips over the 8 hour day, the maximum number of truck trips per weekday is 80 (40 enter, 40 exiting).

In conclusion, the average number of trucks per day is expected to increase from 21 trucks per day to 40 trucks per day, with up to 5 trucks entering and existing the site during the peak hour of operation. Based on these projections, it is our opinion that the proposed addition of weigh scales and scale house, opening the site for commercial sales, will create an increase in traffic volumes on the adjacent Highway 50 corridor and turning movements in and out of the site, which are not expected to have an impact on the level of service of Highway 50 or surrounding roadways.

BUILDING PERMIT REQUIRED

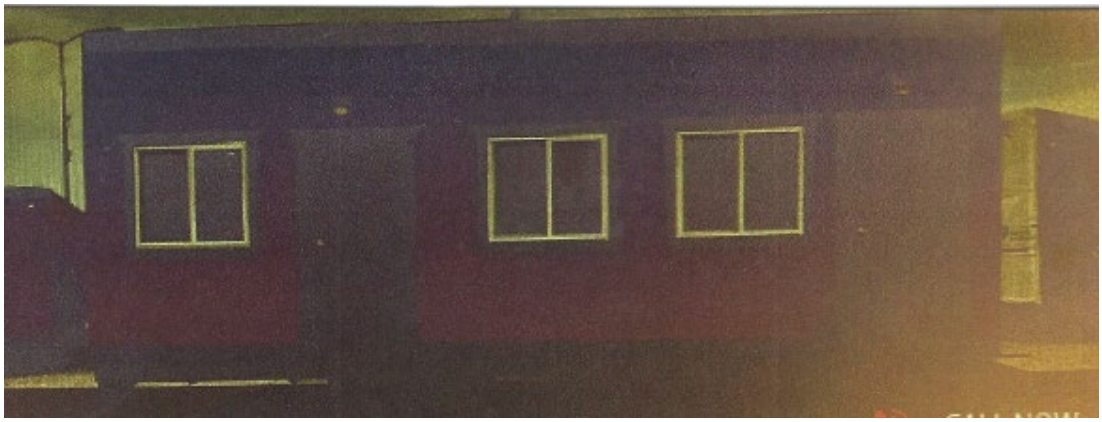
Should the proposed CUP be approved, the proposed improvements would be subject to Building Permit Review. The applicant has provided a site plan and conceptual elevation drawing and a floor plan of the proposed project (below).

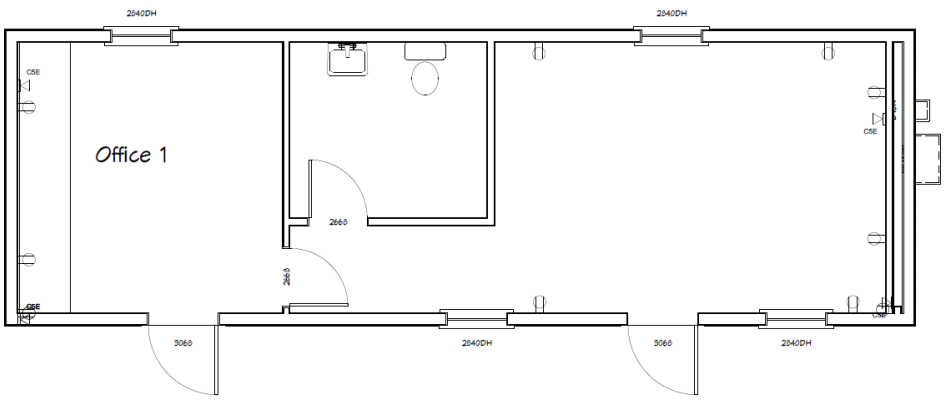
Preliminary Site Plan



Proposed Modular Office Building, Photo and Floor Plan

A twelve-foot by thirty-foot modular office building is proposed.





CONDITIONAL USE PERMIT

When considering applications for a CUP, the commission or Board must evaluate the impact of the conditional use on, and its compatibility with, surrounding properties and neighborhoods 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. Underlined sections of the Applicant's response are especially pertinent to the Staff Comment that follows.

FINDINGS

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

The 2010 Comprehensive Master Plan designates APN 016-401-75 as having a land use zone of M-1 (Title 10) or HI-R under Title 15 of the Land Use and Development Code. This represents a Heavy Industrial - Rural land use area. The associated land use characteristics from the Master Plan are as follows: "Uses typically involve more intensive work processes and may involve manufacturing or basic resource handling."

Under Table 15.320-4 of Title 15, 'Aggregate, sand and gravel extraction and processing…' are allowable uses under a Conditional Use Permit for this HI-R zoning. All requirements stipulated for this zone (15.314.02, HI-R) will be adhered to, however most are not applicable. The property does not about the public Right of Way, nor is it on a street frontage. All other applicable setbacks will be adhered to. No subdivision or lots are being proposed for the site. Parking requirements under Chapter 401, Schedule C have been incorporated into the design for the modular office building. A parking study was prepared for the site and is attached with this submittal.

Staff Comment

The applicant refers to the zoning designation as HI-R instead of HI-S. The code requirements sited above apply to both HI-R and HI-S so the comments are still valid. In addition, the additional buildings and operational requests are consistent with the long-standing uses for the site and as such, the proposed uses at the site are consistent with the Master Plan policies and purpose. This finding is met.

Finding 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

The aggregate pit and all associated improvements are proposed within the limits of the subject parcel. The site is remotely located from existing neighborhoods and the aggregate pit and other improvements exceed 450 feet from any property boundaries.

Staff Comment

The site plan as proposed complies with Title 15 provisions intended to mitigate potential impacts to the neighboring residential properties. Notably, the applicant will still need to submit for Site Improvements and Building Permits, which will grant the County additional opportunities to review the overall project design for Code compliance in case the civil improvements require revision. Additionally, the bulk of the operations and the new improvements occur mainly on the southern end of the property, furthest away from the residential areas to the north. Considering known potential impacts, the Conditions of Approval which directly address impacts on the surrounding residential areas, and the pending reviews, 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

Per the analysis in the Parking and Trip Generation Study, the applicant estimates 4 employees for these operations, which results in a projection of 10 vehicular trips per weekday. Based on these projections, we believe that the proposed site improvements will have a negligible impact on traffic volumes and patterns on the adjacent Highway 50 corridor. Highway 50 is the only public road connected to the site, which is the primary point of ingress and egress. The proposed improvements are not expected to have an impact on the level of service of Highway 50 or surrounding roadways.

Staff Comment

The site access is along easements from Highway 50. Based upon the Trip Generation Report from the applicant, the roadways will not be overburdened by this project, therefore 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

Based on the proposed trip generation, roadway improvements, traffic control devices or mechanisms, or access restrictions are not anticipated to be required for this project. However, traffic control improvements may also include a stop sign exiting Highway 50.

Staff Comment

The proposed road improvements and required conditions require that the existing access road to the subject parcel be re-aligned to be within the existing access easement and paved to accommodate the anticipated traffic loads that will be generated by the proposed operations. With these conditions, 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

Proposed operations are consistent with the former aggregate mining operation that was previously approved as a Conditional Use by Lyon County. Proposed mining operations and equipment will not produce noise levels beyond standard construction levels. Mining operations exceeds 450 feet from any adjacent property line and 1,800 feet from the nearest residence, which will minimize visual and noise impacts.

Staff Comment

The existing and proposed operations require conformance with "Performance Requirements for Industrial Uses" provided in Lyon County code section 15.337.03. These protect surrounding properties from visual and noise impacts of the approved uses and allow for revocation of the CUP if conditions are not satisfied and maintained. With these conditions, this Finding can be 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

Applicable sections of Title 15 for this zoning were adhered to in the design of the proposed uses for this site. This is a private facility, which will provide onsite parking and accessibility accommodations in accordance with Lyon County zoning requirements.

Staff Comment

As conditioned in this CUP, the proposed development would comply with the standards required in the Development Code and will address potential impacts to neighboring properties. 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

Water trucks will be utilized for dust control purposes.

Any odor, dust, dirt, or smoke that may be emitted from the proposed operations would be virtually non-detectable at and beyond the property line, or otherwise reduced to such a concentration or of such duration to any risk of public nuisance, or threaten health or safety, or to unreasonably infringe upon the use and enjoyment of property beyond the boundaries of the subject site.

No material detriment to public health and safety, or to other properties in the area, will result from this proposed use.

Staff Comment

As conditioned and described above, staff believes the impacts of this project to neighboring properties will be mitigated. This Finding is met.

Alternatives to Approval

Alternative for Continuance

If the Board of County Commissioners determine that there is insufficient information with which to make a decision on the Conditional Use Permit 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 of County Commissioners should make the appropriate findings and move to continue the Public Hearing for the Conditional Use Permit application to a future date with concurrence from the applicant.

If so, then the Board 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 application.

Based on the aforementioned finding, and with the applicant's concurrence, the Board of County Commissioners continues the Conditional Use Permit request from Steven Cruz to allow a new modular scale house building, electric weigh scales, and portable restrooms at an existing aggregate pit operation on an approximately 137.35-acre site comprised of two parcels located approximately 5,700 feet to the northwest of the intersection of Enterprise Way and E. Highway 50, at 3750 E. Highway 50 in Dayton (APNs 016-401-74, 75); PLZ-2023-068 for ___ days.

Alternative Motion for Denial

If after review and public comment the Board determines that they should deny the Conditional use Permit application, then the Board may wish to consider a motion similar to the following:

The Lyon County Board of County Commissioners has considered:

15.230.06: FINDINGS:

When considering applications for a conditional use permit, the commission or Board, where applicable, must evaluate the impact of the conditional use on and its compatibility with surrounding properties and neighborhoods to mitigate potential impacts of the use at a particular location and make the following findings:

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.

After consideration of the above-listed Findings, the Lyon County Board of County Commissioners has determined that the Conditional Use Permit would not be in conformance with the above-listed considerations and <u>denies</u> the Conditional Use Permit request from Steven Cruz to allow a new modular scale house building, electric weigh scales, and portable restrooms at an existing aggregate pit operation on an approximately 137.35-acre site comprised of two parcels located approximately 5,700 feet to the northwest of the intersection of Enterprise Way and E. Highway 50, at 3750 E. Highway 50 in Dayton (APNs 016-401-74, 75) PLZ-2023-068.

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Zephyr Cove, Nevada 89448
775.588.6490

28 September 2023

Lyon County – Planning Department
27 S. Main Street
Yerington, NV 89447

Subject: REVISED Detailed Project Description
Conditional Use Permit Application

Property Information:

Applicant:	Cruz Construction
Property Location:	3750 E Highway 50, Dayton, NV
Parcel Number:	APN 016-401-75; 016-401-74
Parcel Size:	+/-130.9 acres
Zoning:	M-1 (General Industrial) and RR-5 (Fifth Rural Residential District – 20-acre minimum lot size)
Master Plan:	Open Space, Low Density Residential and Suburban Residential

This application for a Conditional Use Permit is being submitted to request approval for the use of this property as an aggregate pit, weigh station, and commercial sales of aggregate. This property was permitted and operated for aggregate operations under the previous owner, in addition to the current permitted uses related to the existing aggregate pit, which will continue to operate. The property is located at 3750 East Highway 50, off Enterprise Way, between Dayton and Mark Twain Estates in Nevada. The proposed weigh station will site on approximately 50 acres of the 130.9 available acres (APN 016-401-75). The remainder of the ~131-acre site will be available for mining purposes. Access to the site is across existing access easements or property owned by applicant (see APNs above).

Proposed facilities for this site include a proposed modular scale house building, proposed electric scales, and portable restrooms. The applicant currently has an application in with NV Energy who is currently designing for electrical service to the scales and scale house. Equipment being stored at the site will include excavators, wheel loaders, crushers, water trucks, and other specialty equipment that pertain to these processing operations.

Two employees are expected to operate the site. Security at the site will include locked and secured gate-access at the site's single established entrance. A fence presently surrounds the operational pit area to deter public access. Code minimum site lighting standards will be satisfied for the scales and scale house operations.

Operations Plan

# of employees:	Two full time employees are anticipated to staff the site
Hours of Operation:	The hours of operation will be from 7 AM to 3 PM, Monday through Friday, totaling 8 hours of operation per day on weekdays.
Estimated Vehicular Traffic:	The average number of vehicle trips per employee per day is 2.51 trips. Assuming four full-time employees to operate the site, 10 new trips per day (weekdays) are projected.
Estimated Commercial Traffic:	For the proposed commercial operation, the average number of trucks per day is expected to increase from 21 trucks per day to 40 trucks per day, with a conservative estimate of 5 trucks entering and existing the site during the peak hour of operation (1 truck per 12 minutes). Applying the peak hour trips over the 8 hour day, the estimated number of commercial trips per day is 80.
Loading and Weighing Operations:	The loading operation will remain unchanged from the existing. Overall trip efficiency is anticipated to slow to approximately 12 minutes per truck due to the weigh-in and payment process at the proposed scales.

Site Ingress/Egress/Circulation:

Highway 50 is the only public road connected to the site, and is the primary point of ingress and egress.

Vehicles to the site will be primarily employees. Vehicle circulation will entail a northerly turn off of Highway 50 into the Dayton Pit site, travel on internal roads northerly, then westerly, then northerly once again to park adjacent to the proposed weigh station. Exiting the site will follow the same path of travel, in reverse direction.

Trucks to the site will comprise both Cruz haulers and commercial customers. Trucks will follow the same ingress and egress to the site. Once at the aggregate pit, trucks will follow a counter clockwise pattern for loading operations, proceed in the same counter clockwise pattern to the scale house for weighing and payment, and follow the same egress as vehicular traffic to exit the site.

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Lumos #10573.000
14 September 2023

Findings
Lyon County Title 15 Land Use Development Code – Section 230

Project: Dayton Pit Aggregate Pit Weigh Station, APN 016-401-75, Dayton, NV

Per **Section 15.230.06,** *"When considering applications for a conditional use permit, the commission or Board, where applicable, must evaluate the impact of the conditional use on and its compatibility with surrounding properties and neighborhoods to mitigate potential impacts of the use at a particular location and make the following findings:"*. Findings and justifications are provided in blue text below:

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.

The 2010 Comprehensive Master Plan designates APN 016-401-75 as having a land use zone of M-1 (Title 10) or HI-R under Title 15 of the Land Use and Development Code. This represents a Heavy Industrial - Rural land use area. The associated land use characteristics from the Master Plan are as follows: *"Uses typically involve more intensive work processes and may involve manufacturing or basic resource handling."*

Under Table 15.320-4 of Title 15, 'Aggregate, sand and gravel extraction and processing…' are allowable uses under a Conditional Use Permit for this HI-R zoning. All requirements stipulated for this zone (15.314.02, HI-R) will be adhered to, however most are not applicable. The property does not about the public Right of Way, nor is it on a street frontage. All other applicable setbacks will be adhered to. No subdivision or lots are being proposed for the site. Parking requirements under Chapter 401, Schedule C have been incorporated into the design for the modular office building. A parking study was prepared for the site and is attached with this submittal.

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.

The aggregate pit and all associated improvements are proposed within the limits of the subject parcel. The site is remotely located from existing neighborhoods and the aggregate pit and other improvements exceed 450 feet from any property boundaries.

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

Per the analysis in the Parking and Trip Generation Study, the applicant estimates 4 employees for these operations, which results in a projection of 10 vehicular trips per weekday. Based on these projections, we believe that the proposed site improvements will have a negligible impact on traffic volumes and patterns on the adjacent Highway 50 corridor. Highway 50 is the only public road connected to the site, which is the primary point of ingress and egress. The proposed improvements are not expected to have an impact on the level of service of Highway 50 or surrounding roadways.

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.

Based on the proposed trip generation, roadway improvements, traffic control devices or mechanisms, or access restrictions are not anticipated to be required for this project. However, traffic control improvements may also include a stop sign exiting Highway 50.

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

Proposed operations are consistent with the former aggregate mining operation that was previously approved as a Conditional Use by Lyon County. Proposed mining operations and equipment will not produce noise levels beyond standard construction levels. Mining operations exceeds 450 feet from any adjacent property line and 1,800 feet from the nearest residence, which will minimize visual and noise impacts.

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.

Applicable sections of Title 15 for this zoning were adhered to in the design of the proposed uses for this site. This is a private facility, which will provide onsite parking and accessibility accommodations in accordance with Lyon County zoning requirements.

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. (Ord. 603, 11-1-2018).

Water trucks will be utilized for dust control purposes.
Any odor, dust, dirt, or smoke that may be emitted from the proposed operations would be virtually non-detectable at and beyond the property line, or otherwise reduced to such a concentration or of such duration to any risk of public nuisance, or threaten health or safety,

or to unreasonably infringe upon the use and enjoyment of property beyond the boundaries of the subject site.

No material detriment to public health and safety, or to other properties in the area, will result from this proposed use.

CRUZ CONSTRUCTION

DAYTON AGGREGATE PIT SCALES
CIVIL IMPROVEMENT PLANS

APN: 016-401-74 AND 016-401-75

DEVELOPER

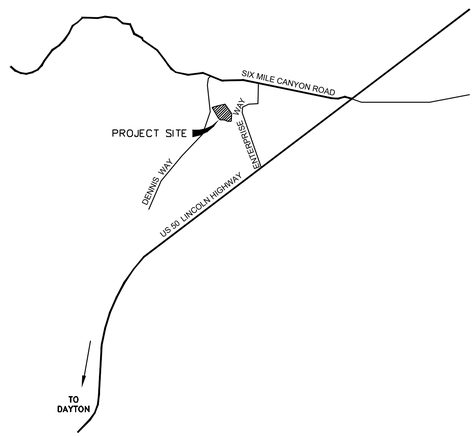
CRUZ CONSTRUCTION
ATTN: KALE PEERY, G.M.
ADDRESS
CITY, STATE ZIP
TEL.: (775) 883-6161

OWNER

NV AGGREGATES
19 CYGNET DRIVE
CARSON CITY, NV 89706



LOCATION MAP



VICINITY MAP

APPROVED BY:

PROJECT OWNER DATE

LUMOS & ASSOCIATES, INC. DATE

SHEET INDEX:

Sheet Number	Sheet Title
C1.0	TITLE SHEET
C1.1	LEGEND, NOTES, AND ABBREVIATIONS
C2.0	OVERALL SITE LAYOUT
C2.1	WEIGH STATION SITE PLAN
L1.0	EXTERIOR LIGHTING CONCEPT LAYOUT
L2.0	PRELIMINARY LIGHTING FIXTURE DETAILS

ENGINEER

312 DORLA COURT, SUITE 202
ZEPHYR COVE, NEVADA 89448
TEL: 775.588.6490
INFO@LUMOSINC.COM

Know what's below.
Call before you dig.

BASIS OF BEARING

THE BASIS OF BEARING FOR THIS PROJECT IS NEVADA STATE PLANE COORDINATE SYSTEM, WEST ZONE NAD83(94) BASED UPON REAL TIME KINEMATIC GPS OBSERVATIONS, OBSERVED NOVEMBER 17, 2021 USING A SURVEY GRADE DUAL FREQUENCY GPS RECEIVER FROM NEVADA DEPARTMENT OF TRANSPORTATION MONUMENT NO. 801042L MODIFIED BY A COMBINED FACTOR OF 1.000222, SCALED FROM 0.00N ,0.00E AND CONVERTED TO U.S. SURVEY FEET. ALL DIMENSIONS ON THIS MAP ARE GROUND DISTANCES.

BASIS OF ELEVATION

THE BASIS OF ELEVATION FOR CONSTRUCTION ON THIS PROJECT IS,
DATUM: NAVD 88
PROJECT BENCHMARK = NEVADA DEPARTMENT OF TRANSPORTATION MONUMENT NO. 801042L, HAVING AN ELEVATION OF 4375.92'.

LUMOS & ASSOCIATES
312 DORLA COURT, SUITE 202
ZEPHYR COVE, NV 89448
TEL: 775.588.6490

WWW.LUMOSINC.COM
INFO@LUMOSINC.COM

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CRUZ CONSTRUCTION
DAYTON AGGREGATE PIT SCALES
CIVIL IMPROVEMENT PLANS
TITLE SHEET
DAYTON LYON COUNTY NEVADA

REV | DATE | DESCRIPTION | BY

PRELIMINARY
FOR CONDITIONAL USE PERMIT

BAR IS 1 INCH ON ORIGINAL DRAWING
0 1
IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY

C1.0

DRAWN BY: CE
DESIGNED BY: CE
CHECKED BY: JS
JOB NO.: 10573.000

L:\LAProj\10573.000 - Dayton Pit Water Service\DWG\Sheets\10573000 DAYTON PIT ASPHALT PLANT.dwg,C1.0 TITLE SHEET, 06/07/2023 02:07 pm mroe

LEGEND

EXISTING		PROPOSED
4174	CONTOUR LINE	4174
+ 4163.1	GROUND ELEVATION	+ 4163.1
	TREE	
	ROCK	
	EDGE OF PAVEMENT	
	AC PAVING TO BE REMOVED	
	CURB & GUTTER	
	CONCRETE	
	UTILITY POLE	
	LIGHT	
	GUY WIRE	
ET	ELECTRIC TRANSFORMER	ET
EV	ELECTRIC VAULT	EV
EP	ELECTRIC PANEL	EP
EC	ELECTRIC CABINET	EC
EB	ELECTRIC BOX	EB
EM	ELECTRIC METER	EM
EG	ELECTRIC GENERATOR	EG
E	ELECTRIC MANHOLE	E
AC	AIR CONDITIONER	AC
	ELECTRIC OUTLET	
	BOLLARD	
D	STORM DRAIN MANHOLE / DROP INLET	D D
	CATCH BASIN	
WV	WATER VALVE	WV
ICV	IRRIGATION CONTROL VALVE WATER	ICV
WM	METER	WM
WS	WATER SPIGOT / HOSE BIB WATER	WS
W	MANHOLE	W
WV	WATER VAULT	WV
	FIRE HYDRANT	
GV	GAS VALVE	GV
GM	GAS METER	GM
T	TELEPHONE MANHOLE	T
TB	TELEPHONE BOX	TB
TV	TELEPHONE VAULT	TV
S	SEWER MANHOLE	S
SSCO	SEWER CLEANOUT	SSCO
	SURVEY MONUMENT	
	CONTROL POINT	
	BARRICADE	
	SIGN	
	RETAINING WALL	
	FENCE	X
	GRADE BREAK	
	FLOW LINE	
	SOIL TEST PIT	
	DETAIL CALLOUT	X / X.X
EX FO	COMM LINE	TELE COMM
EX GAS	GAS LINE	GAS 8"G
EX OHUGE / EX ELEC	ELECTRIC LINE	ELEC ELEC
EX SS	SEWER LINE	SS 12" PVC SS
EX WL	WATER LINE	WL 12" C900 W
AIR	AIR LINE	AIR AIR AIR
EX SD	STORM DRAIN	SD 12" RCP SD
REC WL	RECLAIMED WATER LINE	REC WL

L:\LAProj\10573.000 - Dayton Pit Water Service\DWG\Sheets\10573000 DAYTON PIT ASPHALT PLANT.dwg,C1.1 LEGEND NOTES AND ABBREVIATIONS, 06/07/2023 02:08 pm mroe

ABBREVIATIONS

AC	ASPHALT CONCRETE
ACP	ASBESTOS CEMENT PIPE
AGG	AGGREGATE
BC	BEGIN CURVE (HORIZONTAL)
BOW	BOTTOM OF WALL
BF, BOF	BOTTOM OF FOOTING
BV	BUTTERFLY VALVE
BVC	BEGIN VERTICAL CURVE
BW	BACK OF WALK
CB	CATCH BASIN
cfs	CUBIC FEET PER SECOND
CF	CUBIC FEET
C&G	CURB AND GUTTER
℄	CENTER LINE
CL	CLASS / CENTER LINE
CMP	CORRUGATED METAL PIPE
COMP	COMPACTION
CONC	CONCRETE
CONTR	CONTRACTOR
CP	CONCRETE PAD
CTV	CABLE TELEVISION
DI	DROP INLET
DIA	DIAMETER
DWY	DRIVEWAY
E	EAST
EA	EACH
EC	END CURVE (HORIZONTAL)
ELL	ELBOW
ELEC	ELECTRICAL
ELEV	ELEVATION
EVC	END VERTICAL CURVE
EX, (E)	EXISTING
EXT	EXTERIOR
FCA	FLANGE COUPLING ADAPTER
FE	FINISH ELEVATION
FES	FLARED END SECTION
FF	FINISH FLOOR
FFC	FRONT FACE OF CURB
FG	FINISH GRADE
FH	FIRE HYDRANT
FL	FLOW LINE
FLG	FLANGE
fps	FEET PER SECOND
FTG	FOOTING
G	GAS
GALV	GALVANIZED
GB	GRADE BREAK
GDW	GRAVEL DRIVEWAY
GD	GROUND
GV	GATE VALVE
H	HANDICAPPED
HGL	HYDRAULIC GRADE LINE
HORIZ	HORIZONTAL
HP	HIGH POINT
ID	INSIDE DIAMETER
IE	INVERT ELEVATION
INT	INTERSECTION
IRR	IRRIGATION
LAT	LATERAL
LF	LINEAR FEET
LP	LOW POINT
LT	LEFT
MAX	MAXIMUM
MDD	MAXIMUM DRY DENSITY
MH	MANHOLE
MIN	MINIMUM
MJ	MECHANICAL JOINT
MMD	MAXIMUM MARSHALL DENSITY
MUTCD	MANUAL FOR TRAFFIC CONTROL DEVICES
N	NORTH
NAP	NOT A PART
NIP	NOT IN PROJECT
NTS	NOT TO SCALE
OC	ON CENTER
OD	OUTSIDE DIAMETER
OH	OVERHEAD
(P)	PROPOSED
PCC	PORTLAND CEMENT CONCRETE
PG	PAD GRADE
PI	POINT OF INTERSECTION
PIVC	POINT OF INTERSECTION VERTICAL CURVE
PL	PROPERTY LINE
POCC	POINT OF COMPOUND CURVATURE
POT	POINT OF TANGENCY
PP	POWER POLE
PRC	POINT OF REVERSE CURVE
PRVC	POINT OF REVERSE VERTICAL CURVE
PVC	POLYVINYL CHLORIDE
PVMT	PAVEMENT
Q 5	5 YEAR PEAK FLOW
Q 100	100 YEAR PEAK FLOW
R	RADIUS
RCP	REINFORCED CONCRETE PIPE
REF	REFERENCE
RET	CURB RETURN
RP	RADIUS POINT
RT	RIGHT
R/W, ROW	RIGHT-OF-WAY
S=	SLOPE
S	SOUTH
SD	STORM DRAIN
SDMH	STORM DRAIN MANHOLE
SL	STREET LIGHT
SS	SANITARY SEWER
SSCO	SANITARY SEWER CLEAN OUT
SSMH	SANITARY SEWER MANHOLE
SSPWC	STANDARD SPEC. FOR PUBLIC WORKS CONSTRUCTION
STA	STATION
SW	SIDEWALK
TELE	TELEPHONE
TBO	TEMPORARY BLOW OFF VALVE
TC	TOP OF CURB, TOP OF CONC
TG	TO GRADE
TOB	TOP OF BERM
TF, TOF	TOP OF FOOTING
TOW	TOP OF WALL
TS	TRAFFIC SIGNAL
TSCB	TRAFFIC CONTROL SIGNAL BOX
TR	TOP OF RAIL
TRANS	TRANSITION
TYP	TYPICAL
UG/P	UNDER GROUND POWER
UNO	UNLESS NOTED OTHERWISE
Vs	VELOCITY AT 5 YEAR PEAK
VC	VERTICAL CURVE
VEL	VELOCITY
VERT	VERTICAL
VG	VALLEY GUTTER
W	WEST
W/G	WATER AND GAS
WL	WATER LINE
WM	WATER METER
WS	WATER SURFACE
WV	WATER VALVE
WWF	WELDED WIRE FABRIC
YR	YEAR

811

Know what's below.
Call before you dig.

NOTES:

GENERAL

1. ALL WORK SHALL CONFORM TO THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION, LATEST EDITION.
2. THE CONTRACTOR SHALL REFER TO THE STANDARD DETAILS FOR PUBLIC WORKS CONSTRUCTION, AS ADOPTED BY THE PERMITTING ENTITY, FOR ALL DETAILING NOT SHOWN ON THESE PLANS.
3. CONSTRUCTION SHALL COMPLY WITH THESE PLANS AND CURRENT NDOT or CALTRANS STANDARD PLANS/SPECIFICATIONS (STANDARD SPECIFICATIONS) AND MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD).
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ARRANGING A PRE-CONSTRUCTION JOB SITE CONFERENCE WITH GOVERNING AGENCIES, ALL UTILITY COMPANIES, OWNER'S REPRESENTATIVES, AND THE PROJECT ENGINEER PRIOR TO COMMENCING WORK. THIS MEETING SHALL BE HELD AT LEAST FORTY-EIGHT (48) HOURS, OR TWO (2) BUSINESS DAYS, PRIOR TO THE START OF CONSTRUCTION AND SHALL COMMUNICATE SCHEDULES, CONTRACTORS MEAN AND METHODS, MATERIALS TO BE USED, AND OTHER RELEVANT MATTERS ASSOCIATED WITH THE CONSTRUCTION OF THE PROJECT.
5. ALL WORK EITHER DIRECTLY OR INDIRECTLY RELATED TO THE PROJECT SHALL BE COORDINATED WITH THE APPROPRIATE UTILITY SYSTEM MANAGER.
6. THE CONTRACTOR SHALL MAINTAIN AN ONSITE RECORD COPY OF ALL DRAWINGS, SPECIFICATIONS, ADDENDA, CHANGE ORDERS, WORK CHANGE DIRECTIVES, FIELD ORDERS, FIELD CHANGES, AND WRITTEN INTERPRETATIONS AND CLARIFICATIONS. RECORDS SHALL BE IN GOOD ORDER AND ANNOTATED TO SHOW CHANGES MADE DURING CONSTRUCTION.
7. CONTRACTOR SHALL PROVIDE MATERIALS AND EQUIPMENT SUBMITTALS AND/OR SHOP DRAWINGS TO THE PROJECT ENGINEER FOR REVIEW PRIOR TO ORDERING OR INSTALLATION. A SIGNED SET OF REVIEWED SUBMITTALS MUST ALWAYS BE AVAILABLE ONSITE DURING CONSTRUCTION.
8. THE CONTRACTOR SHALL CALL UNDERGROUND SERVICE ALERT AT 1-800-642-2444 TO PROVIDE FIELD LOCATIONS OF UNDERGROUND UTILITIES PRIOR TO THE START OF CONSTRUCTION.
9. THE LOCATION OF EXISTING UTILITIES SHOWN ON THESE PLANS ARE BASED ON THE BEST INFORMATION AVAILABLE TO THE ENGINEER. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY PROPOSED POINTS OF CONNECTION AND IN AREAS OF POSSIBLE CONFLICT WITH NEW UTILITY INSTALLATION PRIOR TO BEGINNING CONSTRUCTION. SHOULD THE CONTRACTOR FIND ANY DISCREPANCIES BETWEEN THE CONDITIONS EXISTING IN THE FIELD AND THE INFORMATION SHOWN ON THESE DRAWINGS, THE CONTRACTOR SHALL NOTIFY THE ENGINEER BEFORE PROCEEDING WITH CONSTRUCTION. IT IS THE CONTRACTOR'S RESPONSIBILITY TO PROTECT AND MAINTAIN ALL EXISTING UTILITIES WHETHER OR NOT SHOWN ON THE PLAN.
10. THE CONTRACTOR SHALL BE RESPONSIBLE TO PROCURE ALL NECESSARY PERMITS, LICENSES, INSURANCE POLICIES, ETC. AS MAY BE NECESSARY TO COMPLY WITH LOCAL, COUNTY, STATE, AND FEDERAL LAWS ASSOCIATED WITH THE PERFORMANCE OF THE WORK; UNLESS OTHERWISE OBTAINED BY THE OWNER.
11. THE CONTRACTOR SHALL PREPARE A TRAFFIC CONTROL PLAN AND PROVIDE, PLACE, AND MAINTAIN ALL LIGHTS, SIGNS, BARRICADES, FLAG PERSONS, PILOT CAR, OR OTHER DEVICES NECESSARY TO CONTROL TRAFFIC THROUGH THE CONSTRUCTION AREA AND FOR PUBLIC SAFETY. ALL TRAFFIC CONTROL OPERATIONS SHALL COMPLY WITH THE LATEST MUTCD. AT NO TIME WILL OBSTRUCTIONS BE LEFT IN THE ROADWAY DURING NIGHT HOURS. ALL TRAFFIC CONTROL PLANS SHALL BE PREPARED BY A REGISTERED CIVIL ENGINEER OR ATTSA CERTIFIED PERSONNEL.
12. THE CONTRACTOR AGREES TO ASSUME SOLE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY, AND FURTHER AGREES THAT THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS IN ACCORDANCE WITH THE PROVISIONS OUTLINED BY THE PROJECT CONTROL AND THE STANDARD SPECIFICATIONS.
13. THE CONTRACTOR SHALL BE SOLELY AND COMPLETELY RESPONSIBLE FOR COMPLIANCE WITH ALL APPLICABLE PROVISIONS OF OSHA AND NRS CHAPTER 618.
14. THE CONTRACTOR SHALL PURSUE THE WORK IN A CONTINUOUS AND DILIGENT MANNER, CONFORMING TO ALL THE PERTINENT SAFETY REGULATIONS TO ENSURE A TIMELY COMPLETION OF THE PROJECT.
15. THE CONTRACTOR SHALL MAINTAIN A CLEAN PROJECT SITE, REMOVING CONSTRUCTION DEBRIS AT THE END OF EACH ACTIVITY DAY. THE CONTRACTOR SHALL MAINTAIN DEBRIS FREE CONSTRUCTION ROUTES, ADJACENT STREETS AND STORM DRAIN SYSTEMS.
16. TEMPORARY CONSTRUCTION FENCING SHALL BE PROVIDED AND MAINTAINED BY THE CONTRACTOR THROUGHOUT THE DURATION OF THE PROJECT IN AREAS AS DELINEATED ON THE PLANS OR AS DIRECTED BY THE PROJECT ENGINEER. THE TEMPORARY FENCING SHALL PREVENT CHILDREN AND PETS FROM ENTERING THE CONSTRUCTION AREA, CREATE A VISUAL BARRIER OF THE CONSTRUCTION ACTIVITIES FROM THE ADJACENT RESIDENCE AND YARDS, AND PROTECT VEGETATION FROM CONSTRUCTION EQUIPMENT.
17. THE CONTRACTOR SHALL USE ONLY AUTHORIZED SITES FOR STORAGE OF EQUIPMENT AND MATERIALS AND OBTAIN PROPER APPROVALS FROM THE LAND OWNER AND LOCAL GOVERNING AUTHORITY TO DO SO. CONTRACTOR SHALL BE RESPONSIBLE FOR THE SECURITY OF ALL EQUIPMENT AND MATERIALS.
18. CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING SURVEY MONUMENTS AND OTHER SURVEY MARKERS DURING CONSTRUCTION. IN THE EVENT A MONUMENT IS DISTURBED, THE CONTRACTOR SHALL HAVE THE MONUMENT REPLACED, AT HIS OWN EXPENSE, BY A LICENSED SURVEYOR IN THE STATE OF THE PROJECT SITE.
19. CONSTRUCTION HOURS SHALL BE WEEKDAYS BETWEEN 7:00 AM AND 6:00 PM UNLESS OTHERWISE DICTATED BY LOCAL ORDINANCE. CONTRACTOR SHALL OBTAIN APPROVAL FROM THE PROJECT ENGINEER TO MODIFY WORK HOURS.
20. ALL FIELD CHANGES MUST BE PRE-APPROVED BY THE PROJECT ENGINEER.
21. SHOULD IT APPEAR THAT THE WORK TO BE DONE, OR ANY MATTER RELATIVE THERETO, IS NOT SUFFICIENTLY DETAILED OR EXPLAINED ON THESE PLANS, THE CONTRACTOR SHALL CONTACT THE PROJECT ENGINEER FOR SUCH FURTHER EXPLANATIONS AS MAY BE NECESSARY.
22. ALL SALVAGED MATERIALS ARE THE PROPERTY OF THE OWNER AND SHALL BE PALLETIZED ONSITE UNLESS OTHERWISE ARRANGED WITH THE OWNER AND/OR PROJECT ENGINEER.
23. THE OWNER IS RESPONSIBLE FOR FURNISHING QUALIFIED SITE INSPECTIONS AS REQUIRED TO COMPLY WITH LOCAL ORDINANCES.
24. A GEOTECHNICAL INVESTIGATION HAS NOT BEEN PERFORMED FOR THIS PROJECT.

UNDERGROUND UTILITIES

25. THE CONTRACTOR SHALL FIELD VERIFY UTILITY LOCATIONS NEAR OR WITHIN THE CONSTRUCTION LIMITS WITH THE RESPECTIVE UTILITY COMPANIES PRIOR TO BEGINNING CONSTRUCTION. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO ARRANGE FOR THE NECESSARY RELOCATION OF ANY UTILITY. THE CONTRACTOR SHALL NOTIFY ALL UTILITY COMPANIES INVOLVED AT LEAST FORTY-EIGHT (48) HOURS PRIOR TO BEGINNING WORK.
26. NO OTHER UTILITIES MAY BE PLACED IN A WATER OR SEWER TRENCH.
27. ALL VALVE BOXES, MANHOLE STRUCTURES, AND CLEAN OUTS SHALL BE MARKED AND ACCESSIBLE AT ALL TIMES.
28. CONTRACTOR SHALL SUPPORT TRENCH SIDEWALLS IN ACCORDANCE WITH ALL APPLICABLE LAWS AND GOVERNING SAFETY REGULATIONS. SHEETING OR SHORING SHALL CONFORM TO LOCAL REGULATIONS AND OSHA STANDARDS.
29. ENDS OF UNFINISHED PIPE SHALL BE SEALED AT THE END OF EACH DAY.
30. PIPE SHALL BE LAID IN THE UPHILL DIRECTION, WITH BELL ENDS UPHILL.
31. THE CONTRACTOR SHALL COORDINATE ALL WATER MAIN SHUT DOWNS AND TIE-INS WITH THE WATER UTILITY A MINIMUM OF FORTY-EIGHT (48) HOURS OR TWO (2) BUSINESS DAYS IN ADVANCE.
32. ALL UNDERGROUND VALVES, TEES, FITTINGS, ETC. LARGER THAN 2" SHALL BE COATED TO PROTECT AGAINST CORROSION.
33. ALL WATER PROJECT MATERIAL (PIPES, VALVES, LATERALS AND APPURTENANCES) SHALL BE LEAD FREE AND MEET THE MINIMUM REQUIREMENTS OF THE NEVADA ADMINISTRATIVE CODE AND NSF/ANSI 61.
34. ALL THRUST BLOCKS SHALL BE INSPECTED PRIOR TO BACK-FILL.
35. ALL BOLTS AT THRUST BLOCKS AND VALVE SADDLES SHALL BE COVERED WITH VISQUEEN AND TAPED PRIOR TO CONCRETE PLACEMENT.
36. THE WATER MAINS SHALL NOT BE PLACED INTO SERVICE UNTIL:
    a. THE WATER MAIN HAS BEEN DISINFECTED IN ACCORDANCE WITH AWWA, NEVADA DEPARTMENT OF ENVIRONMENTAL PROTECTION (NDEP), THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTIONS STANDARDS.
    b. THE DISPOSAL OF ANY SPENT CHLORINE SOLUTIONS MUST BE COORDINATED WITH NDEP'S BUREAU OF WATER POLLUTION CONTROL.
    c. ANALYSIS OF THE WATER MAIN WHICH INDICATE THAT THE WATER MEETS PRIMARY DRINKING WATER STANDARDS FOR COLIFORM BACTERIA (ABSENT FOR COLIFORM BACTERIA) HAVE BEEN OBTAINED AND REPORTED TO NDEP'S BUREAU OF SAFE DRINKING WATER. SAMPLING SHALL BE IN ACCORDANCE WITH NDEP REGULATIONS.
37. PVC PIPE SHALL BE TESTED PER AWWA C605 AND DUCTILE IRON PIPE SHALL BE TESTED FOR AWWA C600. OTHER MATERIALS SHALL BE TESTED PER REQUIREMENTS IN THE STANDARD SPECIFICATION FOR PUBLIC WORKS CONSTRUCTION SECTION 336.
38. CONTRACTOR SHALL CONDUCT PIPING TESTS BEFORE JOINTS ARE COVERED AND AFTER THRUST BLOCKS HAVE HARDENED SUFFICIENTLY. FILL PIPELINE 24 HOURS BEFORE TESTING AND APPLY TEST PRESSURE TO STABILIZE SYSTEM. USE ONLY POTABLE WATER.
39. CONTRACTOR SHALL PERFORM PLASTIC PIPE BALL AND MANDREL TEST ON NEWLY INSTALLED SEWER PIPE IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION.
40. CONTRACTOR SHALL PERFORM AIR PRESSURE TESTING ON NEWLY INSTALLED SEWER PIPE IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTIONS.

GRADING, EXCAVATION & SURFACE IMPROVEMENTS

41. THE CONTRACTOR IS RESPONSIBLE FOR PERFORMING THEIR OWN QUANTITY TAKE-OFF AND SHALL BUDGET THE PROJECT ACCORDINGLY. ALL EXCESS GRADING MATERIALS SHALL BE DISPOSED OF OFFSITE.
42. ALL EARTHWORK ACTIVITIES SHALL BE IN ACCORDANCE WITH THE PROJECT'S GEOTECHNICAL REPORT.
43. THE SOILS ENGINEER SHALL APPROVE ALL EARTHWORK AND GRADING TO CONFIRM COMPACTION REQUIREMENTS ARE MET.
44. CONTRACTOR SHALL PROTECT EXISTING PAVING, CONCRETE, LANDSCAPING, FENCING, MAILBOXES, SIGNS AND ANY OTHER IMPROVEMENTS NOT SPECIFICALLY CALLED OUT FOR REPLACEMENT. CONTRACTOR SHALL REPAIR/REPLACE ANYTHING DAMAGED BY FORCES UNDER THEIR EMPLOY OR CONTRACT.
45. ALL ASPHALT CONCRETE SURFACES SHALL BE SAWCUT THREE FEET MINIMUM INSIDE THE EDGE OF PAVEMENT TO A NEAT, STRAIGHT LINE AND REMOVED. THE EXPOSED PAVEMENT TIE-IN EDGES SHALL BE METICULOUSLY CLEANED OF ALL LOOSE MATERIAL AND THEN TREATED WITH BITUMINOUS EMULSION PRIOR TO PAVING. THE EXPOSED BASE MATERIALS SHALL BE GRADED AND RECOMPACTED PRIOR TO PAVING.

ENVIRONMENTAL

46. ALL CONSTRUCTION SHALL BE PERFORMED IN COMPLIANCE WITH THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES). CONTRACTOR IS RESPONSIBLE FOR ACQUIRING AND MAINTAINING A SWPPP.
47. INSTALLATION AND MAINTENANCE OF EROSION CONTROL MEASURES ARE THE RESPONSIBILITY OF THE CONTRACTOR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PREVENTION OF EROSION AND SILTATION FROM ENTERING THE STORM DRAIN SYSTEM, NATURAL DRAINAGE COURSES, AND/OR INTRUDING UPON ADJACENT ROADWAYS AND PROPERTIES. EROSION CONTROL MEASURES SHOWN ON THESE PLANS ARE INTENDED AS A GUIDE. ADDITIONAL EROSION CONTROL MEASURES MAY BE REQUIRED AS DETERMINED IN THE FIELD. THIS RESPONSIBILITY SHALL APPLY THROUGHOUT THE COURSE OF CONSTRUCTION AND UNTIL ALL DISTURBED AREAS HAVE BECOME STABILIZED AND SHALL NOT BE LIMITED TO WET WEATHER PERIODS. THE CONTRACTOR IS RESPONSIBLE FOR SWPPP UPDATES.
48. THE CONTRACTOR SHALL MAINTAIN AN ON-GOING DUST CONTROL PROGRAM INCLUDING WATERING OF OPEN AREAS, TO CONFORM WITH THE LATEST FEDERAL, STATE, AND COUNTY AIR POLLUTION REGULATIONS. CONTRACTOR IS RESPONSIBLE FOR OBTAINING AND UPDATING DUST CONTROL PERMITS FOR THE PROJECT.
49. ALL AREAS DISTURBED AND LEFT UNDEVELOPED FOR A PERIOD OF MORE THAN 30 DAYS SHALL BE STABILIZED BY THE APPLICATION OF AN APPROVED DUST PALLIATIVE OR HYDROMULCH.
50. THE CONTRACTOR SHALL IDENTIFY A STANDBY CREW FOR EMERGENCY WORK AND THEY SHALL BE AVAILABLE AT ALL TIMES. MATERIAL NECESSARY TO FACILITATE RAPID CONSTRUCTION OF TEMPORARY DEVICES OR TO REPAIR DAMAGED EROSION CONTROL MEASURES SHALL BE AVAILABLE ON-SITE AND STOCKPILED AT APPROVED LOCATIONS.
51. PROTECTIVE MEASURES AND TEMPORARY DRAINAGE PROVISIONS SHALL BE USED TO PROTECT ADJOINING PROPERTIES DURING CONSTRUCTION OF IMPROVEMENTS.
52. AFTER A RAINSTORM, ALL SILT AND DEBRIS SHALL BE REMOVED FROM CHECK BERMS AND DESILTING FACILITIES. GRADED SLOPE SURFACE PROTECTION MEASURES DAMAGED DURING THE RAINSTORM SHALL ALSO BE REPAIRED.
53. FILL SLOPES AT THE PROJECT PERIMETER MUST DRAIN AWAY FROM THE TOP OF THE SLOPE AT THE END OF EACH WORKING DAY.
54. ALL DISTURBED AREAS ARE REQUIRED TO HAVE A PALLIATIVE APPLIED FOR DUST CONTROL. ALL GRADING SHALL COMPLY WITH STATE AND COUNTY REGULATIONS.
55. A SIX-FOOT HIGH PERIMETER FENCE OR A 24-HOUR GUARD SHALL BE POSTED ON THE SITE WHENEVER THE DEPTH OF WATER IN A FACILITY EXCEEDS 18".
56. ALL AREAS DISTURBED BECAUSE OF THE WORK SHALL BE REVEGETATED IN ACCORDANCE WITH INDUSTRY BEST MANAGEMENT PRACTICES.
57. NO CONSTRUCTION MATERIALS SHALL BE STORED IN A STREAM ENVIRONMENT ZONES (SEZ) AT ANY TIME.
58. IF GROUNDWATER IS ENCOUNTERED, THE CONTRACTOR SHALL STOP WORK IMMEDIATELY, PREPARE A DEWATERING PLAN, AND OBTAIN APPROVAL FROM THE PROJECT ENGINEER BEFORE PROCEEDING WITH WORK. DEWATERING ACTIVITIES MAY REQUIRE THE CONTRACTOR TO OBTAIN A DISCHARGE/PUMPING PERMIT FROM THE STATE. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO OBTAIN SUCH PERMITS.
59. ALL STREETS SHALL BE MAINTAINED FREE OF DUST AND MUD CAUSED BY GRADING OPERATIONS.

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CRUZ CONSTRUCTION

DAYTON AGGREGATE PIT SCALES
CIVIL IMPROVEMENT PLANS
LEGEND, NOTES, AND ABBREVIATIONS

DAYTON — LYON COUNTY — NEVADA

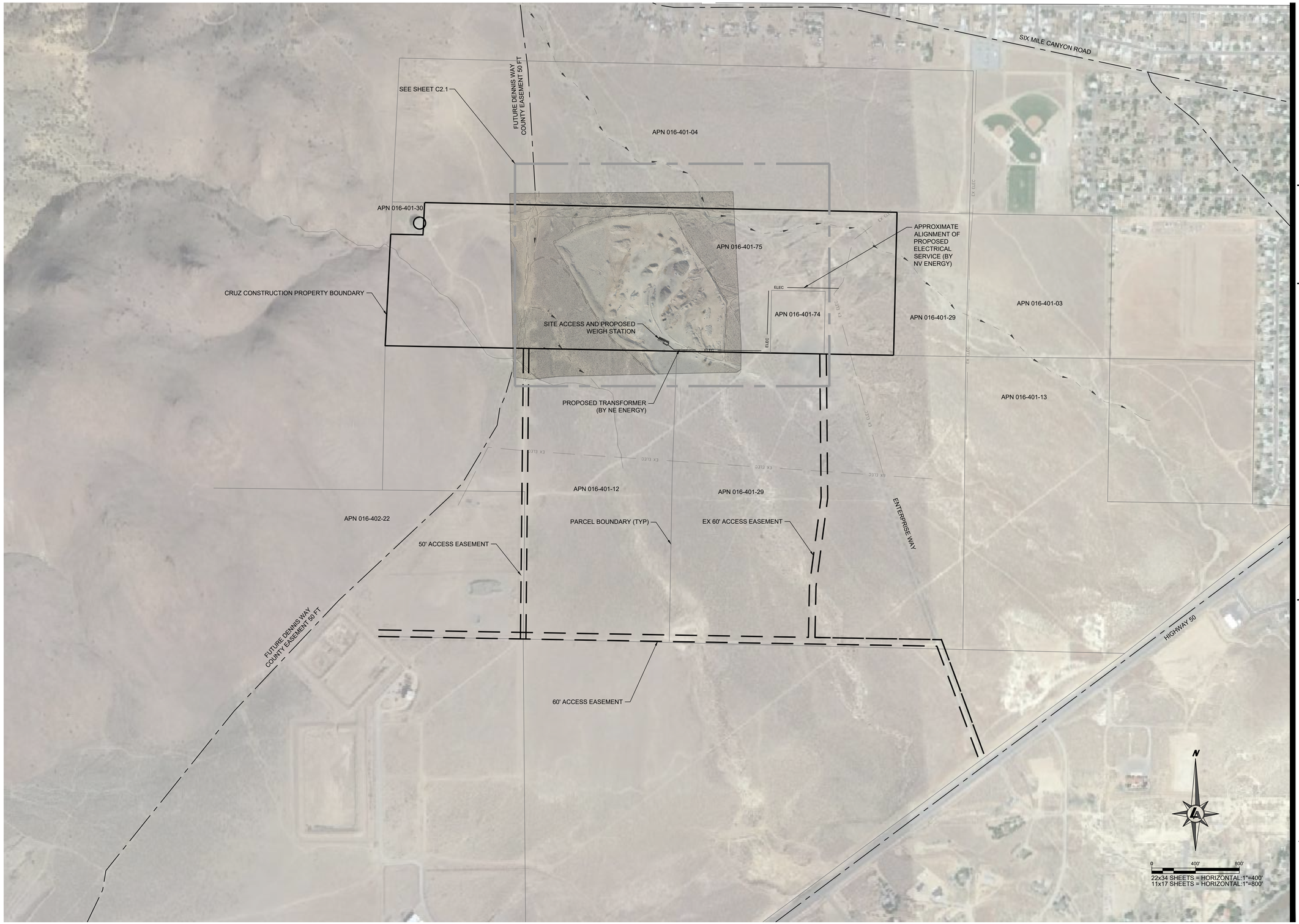
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CRUZ CONSTRUCTION

DAYTON AGGREGATE PIT SCALES
CIVIL IMPROVEMENT PLANS
OVERALL SITE LAYOUT

DAYTON — LYON COUNTY — NEVADA

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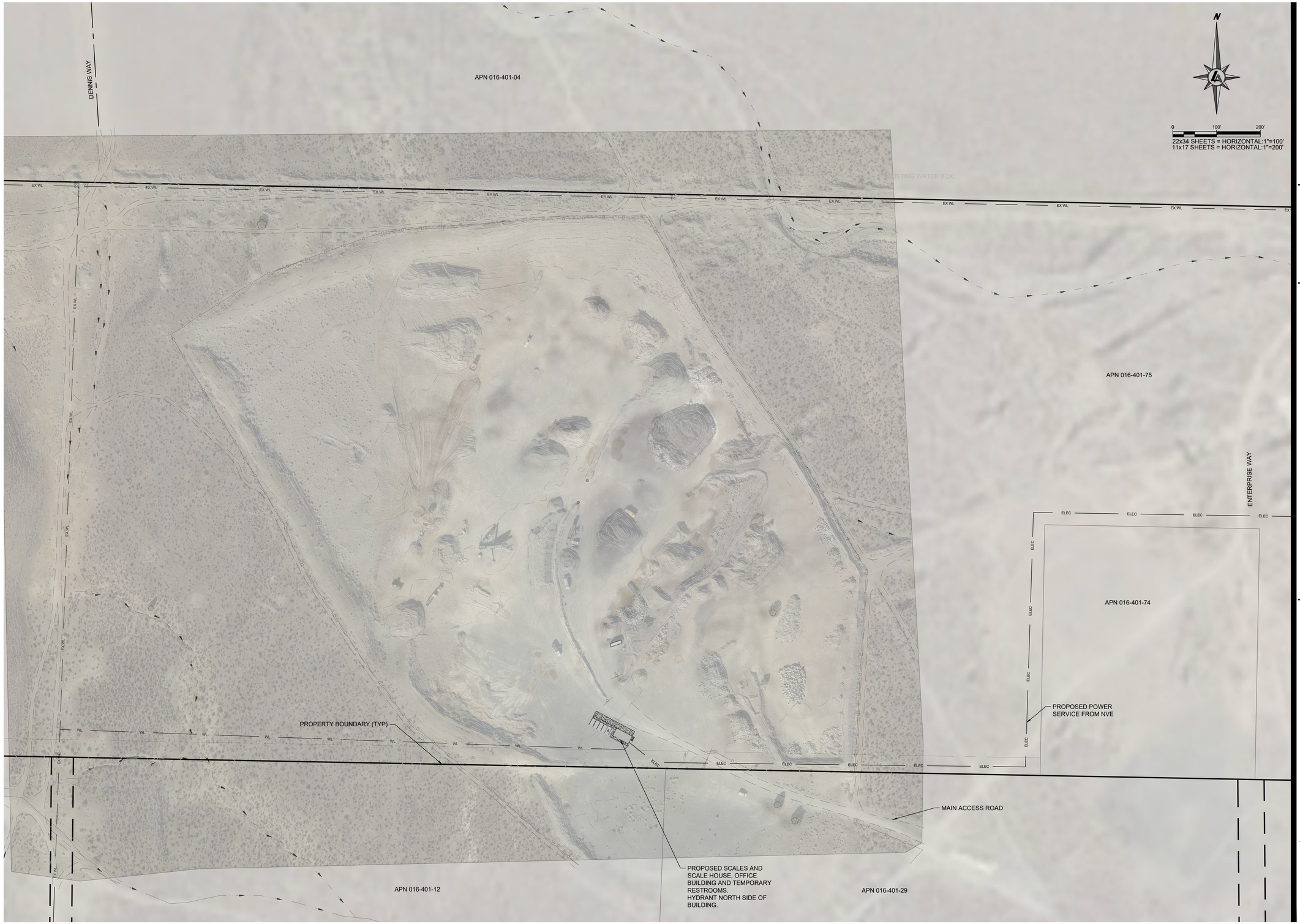
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CRUZ CONSTRUCTION

DAYTON AGGREGATE PIT SCALES
CIVIL IMPROVEMENT PLANS
WEIGH STATION SITE PLAN

DAYTON — LYON COUNTY — NEVADA

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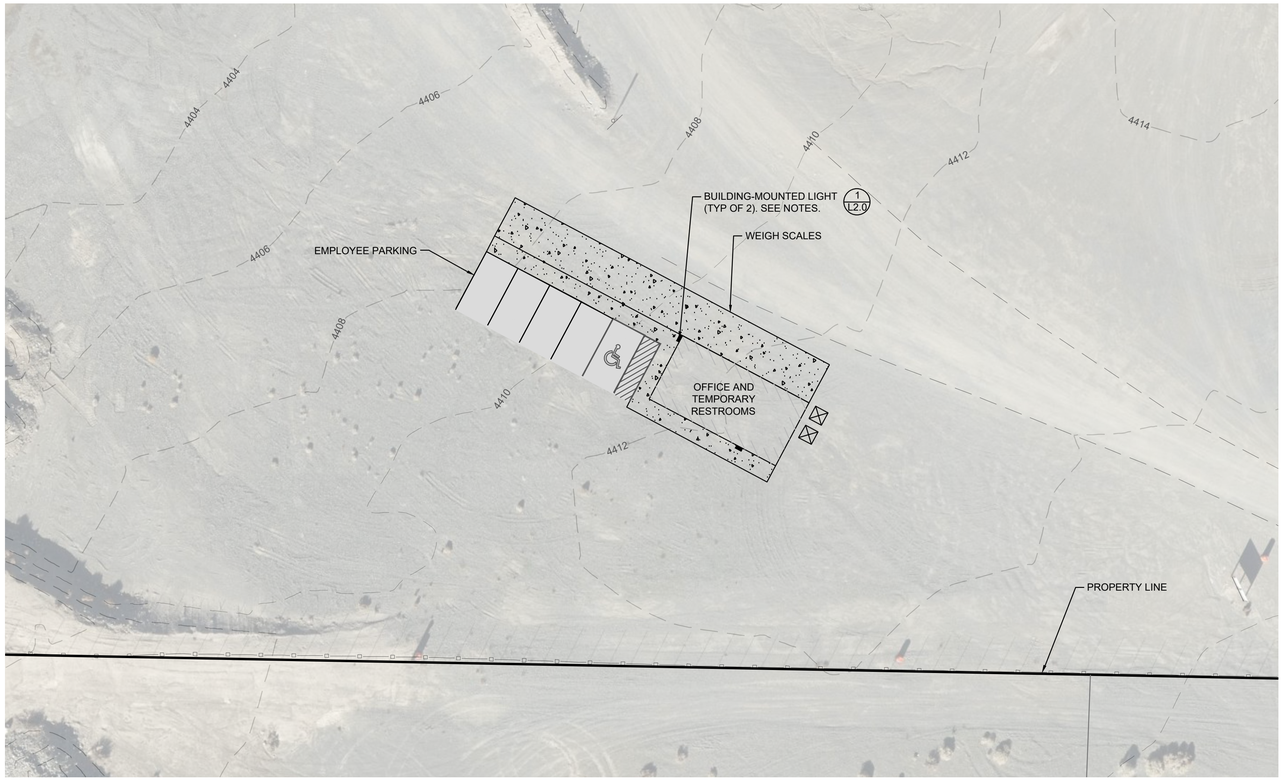
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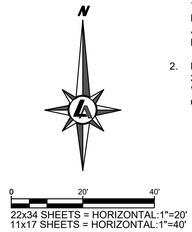
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WEIGH-STATION LIGHTING PLAN



22x34 SHEETS = HORIZONTAL:1"=20'
11x17 SHEETS = HORIZONTAL:1"=40'

NOTES:

1. EXTERIOR LIGHTING SHALL BE MOUNTED AS LOW AS POSSIBLE, POINTED DOWNWARD, AND THE LIGHT SOURCE SHALL BE SHIELDED FROM DIRECT OBSERVATION FROM ABOVE, ADJACENT PROPERTIES, AND PUBLIC RIGHTS-OF-WAY.
2. EXTERIOR LIGHT FIXTURES SHALL BE 480 VOLT, 3-PHASE LED LIGHTS, VISIONAIRE PGAS-2 FOR WALL-MOUNTED OR VSF FOR FLOOD-LIGHTS, OR APPROVED EQUAL. REFER TO SHEET L2.0.

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CRUZ CONSTRUCTION

DAYTON AGGREGATE PIT SCALES
CIVIL IMPROVEMENT PLANS
EXTERIOR LIGHTING CONCEPT LAYOUT

DAYTON — LYON COUNTY — NEVADA

REV	DATE	DESCRIPTION	BY

PRELIMINARY
FOR CONDITIONAL USE PERMIT

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0 — 20'
IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY

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DESIGNED BY:	CE
CHECKED BY:	JS
JOB NO.:	10573.000

L:\Active\10573.000 - Dayton Pit Water Service\DWG\Exhibits\20230224 - Lighting Plan\10573000 DAYTON PIT ASPHALT PLANT - LIGHTING PLAN.dwg,L1.0 EXTERIOR LIGHTING CONCEPT LAYOUT,
06/07/2023 02:08 pm mroe

PGAS-2 LED Specifications



Project Name:

Catalog Number:

Type:

The **PGAS-2 LED** luminaire from Visionaire combines contemporary design with new LED technology, while maintaining a traditional fixture image. The LED performance and Life are maximized by the unique integral aluminum heat sink. It is an ideal replacement for the high-maintenance fluorescent or HID fixtures of yesterday.

The LED housing is cast aluminum with internal heat sink for maximum heat dissipation; with 16 or 32 LEDs. The cast aluminum driver compartment allows the driver to operate cooler for long life.

Three optical distribution patterns are available. Choose between 3000, 4000 or 5000 Kelvin temperature of the LED's.

A durable polyester powder coat finish is guaranteed for five years; and is available in standard or custom colors.

The **PGAS-2 LED** series is an exceptional choice for all wall mount applications.

Ordering Information

MODEL	OPTICS	SOURCE	CURRENT	KELVIN	VOLTAGE	MOUNTING	FINISH	OPTIONS	OPTIONS
PGAS-2	T2 Type 2 T3 Type 3 T4 Type 4	16LC 32LC	3 350mA 5 530mA 7 700mA	3K 3000K 4K 4000K 5K 5000K	UNV 120-277V 8 347V 5 480V	WM Wall Mount	BZ Bronze BK Black SBK Smooth Black WH White SWH Smooth White GP Graphite GY Grey SL Silver Metallic CC Custom Color	PC-120 Button Type Photocell PC-208 Button Type Photocell PC-240 Button Type Photocell PC-277 Button Type Photocell WSC-8 Motion Sensor 8' Mounting Height WSC-20 Motion Sensor 9-20' Mounting Height WSC-40 Motion Sensor 21-40' Mounting Height *WSC options will require FSIR-100 remote for programing	EBPL Emergency Battery Pack 120V-277V Only VWC Visionaire Wireless Controls Consult Factory BP Back Plate

VISIONAIRE LIGHTING

Features & Specifications PGAS-2

Housing
Heavy duty cast aluminum housing with internal heat sink for maximum heat dissipation. Silicone gasket is used for weather tight operation.

Mounting
A Wall Mount bracket can be secured directly to a 4"-5" recessed junction box.

Thermal Management
The PGAS series provides excellent thermal management by mounting the LEDs to the substantial heat sink within the housing. This enables the Luminaire to withstand higher ambient temperatures and driver currents without degrading LED life.

Optical System
• The highest lumen output LEDs are utilized. High-performance acrylic optics feature industry leading Type II, III, and IV optical distributions. Acrylic optics are impact-resistant and rated to 94 percent translucence.
• L70 life of our LEDs is rated over 100,000 hours (for 700 mA). The optical system qualifies as IES full cutoff to restrict light trespass, glare and light pollution for neighborhood-friendly lighting.
• CRI values are 70.

Quali-Guard® Finish
The finish is a Quali-Guard® textured, chemically pretreated through a multiple-stage washer, electrostatically applied, thermoset polyester powder coat finish, with a minimum of 3-5 millimeter thickness. Finish is oven-baked at 400º F to promote maximum adherence and finish hardness.
• All finishes are available in standard and custom colors.
• Finish is guaranteed for five (5) years.

Electrical Assembly
The PGAS-2 LED series is supplied with a choice of 350, 530 or 700 high-performance LED drivers that accept 120v thru 480v, 60 Hz to 60 Hz, input.
• Power factor of 90%.
• Rated for -40°C operations.
• 10 kV surge protector supplied as standard.

Warranty
Five (5) year Limited Warranty on electrical components, Five (5) year on finish. For full warranty information, please visit visionairelighting.com.

Options
• Button Style Photocell
• Watt Stopper FSP-211
• Back Plate
• Emergency Battery Pack
• Wireless Control

Listings
• PGAS-2 is cUL listed, suitable for wet locations.
• IP66 Rated
• Powder Coated Tough™
• DLC Listed
• Pangealink

IDA · Powder Coated Tough · IP66 RATED · cULus Listed · DLC · Pangealink

DesignLights Consortium (DLC) qualified Product. Some configurations of this product family may not be DesignLights Consortium (DLC) listed, please refer to the DLC qualified products list to confirm listed configurations. http://www.designlights.org/
3000K must be selected for IDA certification.
Fixed mount must be selected for IDA dark-sky certification.

PGAS-2 - Electrical Load (A)							
Ordering Nomenclature	System Watts	120V	208V	240V	277V	347V	480V
PGAS-2-T3-16LC-350MA	18	0.14	0.08	0.07	0.06	0.05	0.04
PGAS-2-T3-16LC-530MA	26	0.22	0.12	0.11	0.09	0.07	0.05
PGAS-2-T3-16LC-700MA	37	0.28	0.16	0.14	0.12	0.10	0.07
PGAS-2-T3-32LC-350MA	34	0.28	0.16	0.14	0.12	0.10	0.07
PGAS-2-T3-32LC-530MA	53	0.43	0.25	0.22	0.19	0.15	0.11
PGAS-2-T3-32LC-700MA	70	0.58	0.33	0.29	0.25	0.20	0.14

Motion Sensor Default Setting									
FSP - 211	High Mode	Low Mode	Time Delay	Cut Off Delay	Sensitivity	Hold Off Setpoint	Photocell On/Off	Ramp Up Time	Fade Down Time
WSC - Default	10V	1V	5 Minutes	1 Hour	Max	Disabled	Disabled	Disabled	Disabled
WSC Range	0-10V	0-9.8V	5-30 Minutes	1-6 Hours	Low, Med, Max	1-250FC	1-250FC	1-60 Dec	1-60 Dec

*Settings can be field modified with the FSIR-100 Programming remote

19645 Rancho Way - Rancho Dominguez, CA 90220 - Phone: 310 512 6480 Fax: 310 512 6486
www.visionairelighting.com

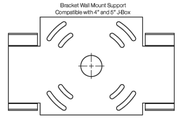
PGAS-2 LED Specifications

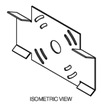
Photometric Optical Summary

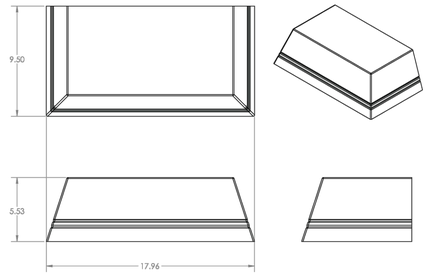
T2 Type 2 · T3 Type 3 · T4 Type 4

Dimensions

Width:	PGAS-2 17.96"
Height:	PGAS-2 5.53"
Depth:	PGAS-2 9.50"
Weight:	20 LBS







VISIONAIRE LIGHTING

19645 Rancho Way - Rancho Dominguez, CA 90220 - Phone: 310 512 6480 Fax: 310 512 6486
www.visionairelighting.com

LED Specifications PGAS-2

PGAS-2 3K LUMEN DATA						PGAS-2 3K LUMEN DATA					
# LEDs	mA	T2	T3	T4	Power (W)	# LEDs	mA	T2	T3	T4	Power (W)
16	350	2281	2271	2210	17	32	350	4448	4369	4280	34
	530	3103	3117	3033	26		530	6280	6156	6185	52
	700	4009	4027	3919	34		700	7810	7654	7691	69
PGAS-2 4K LUMEN DATA						PGAS-2 4K LUMEN DATA					
# LEDs	mA	T2	T3	T4	Power (W)	# LEDs	mA	T2	T3	T4	Power (W)
16	350	2235	2245	2185	17	32	350	4541	4450	4472	34
	530	3068	3082	2999	26		530	6253	6128	6158	52
	700	3964	3982	3875	34		700	7645	7482	7528	69
PGAS-2 5K LUMEN DATA						PGAS-2 5K LUMEN DATA					
# LEDs	mA	T2	T3	T4	Power (W)	# LEDs	mA	T2	T3	T4	Power (W)
16	350	2191	2201	2142	17	32	350	4437	4348	4369	34
	530	3007	3020	2939	26		530	6220	6096	6125	52
	700	3885	3903	3798	34		700	7556	7405	7441	69
PGAS-2 3K LPW DATA						PGAS-2 3K LPW DATA					
# LEDs	mA	T2	T3	T4	Power (W)	# LEDs	mA	T2	T3	T4	Power (W)
16	350	133	134	130	17	32	350	131	128	129	34
	530	119	120	117	26		530	121	118	119	52
	700	118	118	115	34		700	113	111	111	69
PGAS-2 4K LPW DATA						PGAS-2 4K LPW DATA					
# LEDs	mA	T2	T3	T4	Power (W)	# LEDs	mA	T2	T3	T4	Power (W)
16	350	131	132	129	17	32	350	134	131	132	34
	530	118	119	115	26		530	120	118	118	52
	700	117	117	114	34		700	111	109	109	69
PGAS-2 5K LPW DATA						PGAS-2 5K LPW DATA					
# LEDs	mA	T2	T3	T4	Power (W)	# LEDs	mA	T2	T3	T4	Power (W)
16	350	129	129	126	17	32	350	130	128	126	34
	530	116	116	113	26		530	120	117	118	52
	700	114	115	112	34		700	110	107	108	69
PGAS-2 3K BUG DATA						PGAS-2 3K BUG DATA					
# LEDs	mA	T2		T3		T4		Power (W)	# LEDs	mA	T2		T3		T4		Power (W)
		B	U G	B	U G	B	U G				B	U G	B	U G	B	U G	
16	350	1	0 1	1	0 1	1	0 1	17	32	350	1	0 2	1	0 1	1	0 1	34
	530	1	0 1	1	0 1	1	0 1	26		530	1	0 2	2	0 2	2	0 2	52
	700	1	0 1	1	0 1	1	0 1	34		700	2	0 3	2	0 2	2	0 2	69
PGAS-2 4K BUG DATA						PGAS-2 4K BUG DATA					
# LEDs	mA	T2		T3		T4		Power (W)	# LEDs	mA	T2		T3		T4		Power (W)
		B	U G	B	U G	B	U G				B	U G	B	U G	B	U G	
16	350	1	0 1	1	0 1	1	0 1	17	32	350	1	0 2	1	0 1	1	0 1	34
	530	1	0 1	1	0 1	1	0 1	26		530	1	0 2	2	0 2	2	0 2	52
	700	1	0 1	1	0 1	1	0 1	34		700	2	0 2	2	0 2	2	0 2	69
PGAS-2 5K BUG DATA						PGAS-2 5K BUG DATA					
# LEDs	mA	T2		T3		T4		Power (W)	# LEDs	mA	T2		T3		T4		Power (W)
		B	U G	B	U G	B	U G				B	U G	B	U G	B	U G	
16	350	1	0 1	1	0 1	1	0 1	17	32	350	1	0 2	1	0 1	1	0 1	34
	530	1	0 1	1	0 1	1	0 1	26		530	1	0 2	2	0 2	2	0 2	52
	700	1	0 1	1	0 1	1	0 1	34		700	2	0 2	2	0 2	2	0 2	69

1 VISIONAIRE WALL-MOUNTED LIGHT
NO SCALE

LUMOS & ASSOCIATES
312 DORLA COURT, SUITE 202
ZEPHYR COVE, NV 89448
TEL: 775.588.6490
WWW.LUMOSINC.COM
INFO@LUMOSINC.COM

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CRUZ CONSTRUCTION

DAYTON AGGREGATE PIT SCALES
CIVIL IMPROVEMENT PLANS
PRELIMINARY LIGHTING FIXTURE DETAILS

DAYTON · LYON COUNTY · NEVADA

REV	DATE	DESCRIPTION	BY

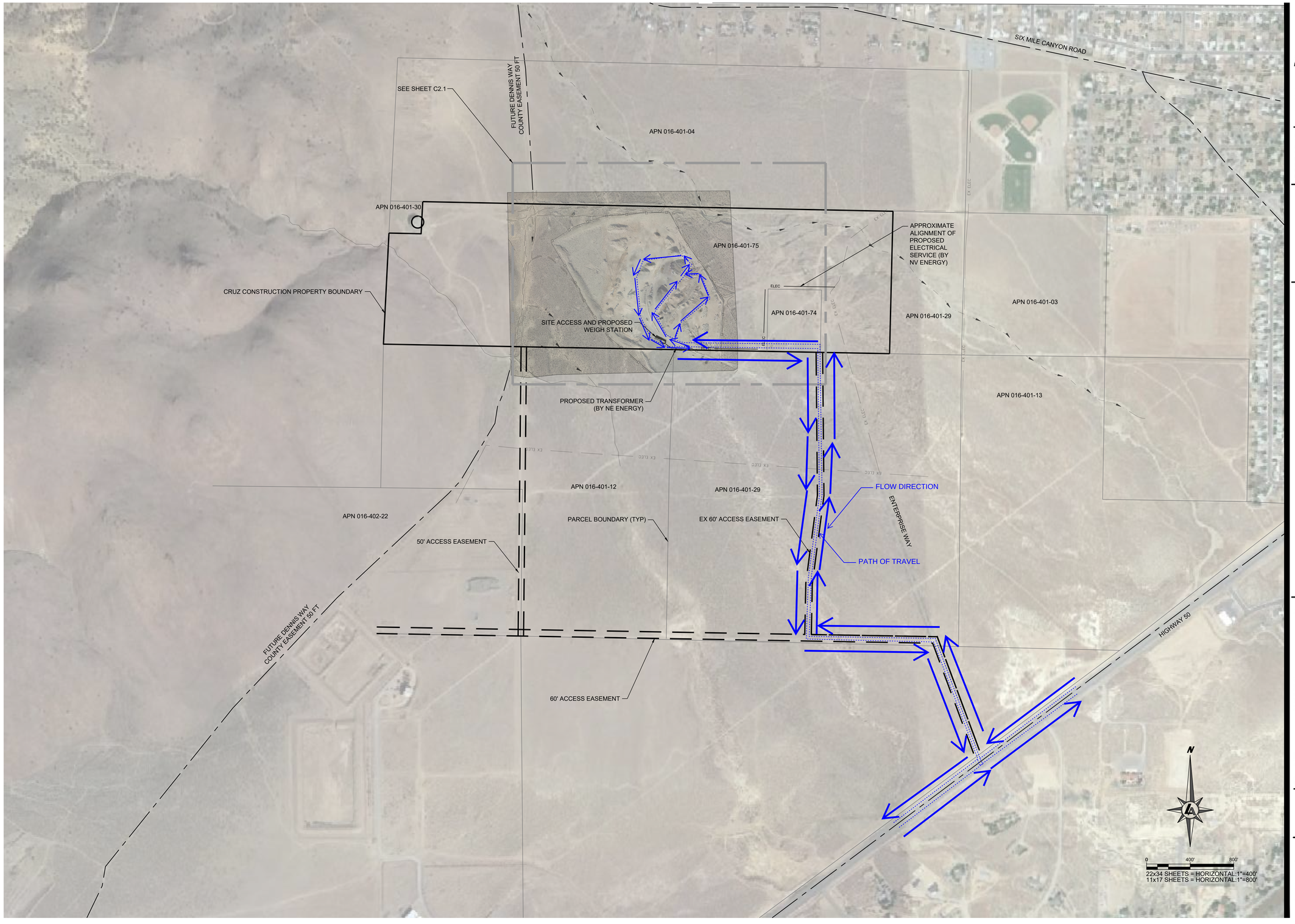
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CRUZ CONSTRUCTION

DAYTON AGGREGATE PIT SCALES
CIVIL IMPROVEMENT PLANS
CIRCULATION EXHIBIT

DAYTON — LYON COUNTY — NEVADA

REV	DATE	DESCRIPTION	BY

EXHIBIT
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EXHIBIT

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LUMOS & ASSOCIATES

Carson City • Fallon • Lake Tahoe • Reno

www.LumosInc.com

Lake Tahoe
312 Dorla Court, Suite 202 | PO Box 890
Zephyr Cove, Nevada 89448
775.588.6490

September 28, 2023

Lumos #10573.000

Planning Director and Building Official
Lyon County – Planning Department
27 S. Main Street
Yerington, NV 89447
lcariola@lyon-county.org

Subject: Parking and Trip Generation Study – Dayton Aggregate Pit & Scales

(APN 016-401-75)

Parking Analysis

Per **Chapter 15.401.03, Off-Street Parking for Industrial Uses** must adhere to **Schedule C:** "…*Upon receiving a development application for a use subject to Schedule C standards, the building official and the Director shall apply the off-street parking and loading standard specified for the listed use that is deemed most similar to the proposed use or establish minimum off-street parking requirements on the basis of a parking and loading study prepared by the applicant."*

A new scale house and scales are being proposed for the aggregate mining and sales operations at Cruz Construction's aggregate pit site, at 3750 East Highway 50, Dayton NV, located off of Enterprise Way, between Dayton and Mark Twain Estates in Nevada. Proposed facilities at the site include scales for aggregate trucks and a modular scale house with a portable restroom. The modular scale house will require employee parking. This Parking Study provides an estimate of the parking demand based on recommendations from Institute of Transportation Engineers (ITE). This is in accordance with Chapter 401, Schedule C of the Lyon County Land Use and Development Code (Title 15).

This site is zoned as Heavy Industrial-Rural (HI-R) under to Title 15 of the Lyon County code. The most applicable Land Use for this site under the 5th Generation ITE Parking Generation Manual is 140 Manufacturing, which is described as follows:

"A manufacturing facility is an area where the primary activity is the conversion of raw materials or parts into finished products. Size and type of activity may vary substantially from one facility to another. In addition to the actual production of goods, manufacturing facilities generally also have office, warehouse, research, and associated functions. General light industrial (Land Use 110) and industrial park (Land Use 130) are related uses."

The studies performed by ITE for this Land Use resulted in an average parking supply ratio of 1.4 spaces per 1,000 square feet (sq-ft) GFA or 1.4 spaces per employee. The only proposed building at the site is a +/-1,200 sq-ft modular office at the weigh station, which will be staffed with one or two employees. An additional two employees are anticipated for aggregate loading operations and will park within the pit equipment staging area. The resulting estimated parking spaces are provided below:

No. Spaces = (1,200) sq-ft GFA x 1.4 spaces / 1,000 sq-ft GFA
= 1.68 spaces
≈ 2 spaces (rounded up)
or, No. Spaces = 2 employees x 1.4 spaces / employee
= 2.8 spaces
≈ 3 spaces (rounded up)

To provide a conservative design, 5 parking spaces will be provided at the modular scale house, including one ADA-compatible parking space.

Trip Generation Analysis

Vehicles
The current version of the ITE's Trip Generation Manual (Edition 11.1) web-based graph was used for the Trip Generation Study for vehicles. Parameters used were as follows; Industrial Manufacturing for Land Use, General Urban/ Suburban for the location and Number of Employees for the independent variable. This generated an average trip rate of 2.51 trips per employee per weekday. Assuming four full-time employees (two at the scale house and two at the aggregate pit) to operate the site, ten new trips per day (weekday) are projected.

The supporting graph and line of best fit for the data from the ITE Trip Generation Manual interactive portal is attached to this document for reference. Based on these projections, it is our opinion that the proposed site improvements and operations will have a negligible impact on traffic volumes and patterns on the adjacent Highway 50 corridor based on the minimal increase in vehicle trips generated by the site. Highway 50 is the only public road connected to the site, and is the primary point of ingress and egress. The proposed improvements are not expected to have an impact on the level of service of Highway 50 or surrounding roadways.

Trucks
The current version of ITE's Trip Generation Manual (Edition 11.1) web-based graph was also used to check the expected truck trips generated by the commercial sale of aggregate on site. However, the data set from ITE does not seem to be representative of this relatively small scale operation since the results indicated that only one truck trip per day would result based on the number of employees operating the site. Truck operations and loading time were therefore considered to predict the number of truck trips generated by the site.

The truck analysis is based on the owner's observations of the current private trucking operations. The loading operations can currently accommodate approximately one truck every 10 minutes. With the site being private, there are currently 7 trucks making about 3 runs per day, resulting in 42 trips per day (50% entering, 50% exiting).

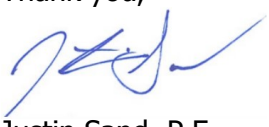
For the proposed commercial operation, the loading operation will remain unchanged, while the overall trip efficiency may slow down slightly to approximately 12 minutes per truck due to the weigh-in and payment process at the proposed scales. Therefore, we have conservatively assumed that the peak hour of operation will not exceed 5 trucks per hour (1 truck per 12 minutes). The hours of operation will be from 7 AM to 3 PM, totaling 8 hours of operation per day. Applying the

peak hour trips over the 8 hour day, the maximum number of truck trips per weekday is 80 (40 enter, 40 exiting).

In conclusion, the average number of trucks per day is expected to increase from 21 trucks per day to 40 trucks per day, with up to 5 trucks entering and existing the site during the peak hour of operation. Based on these projections, it is our opinion that the proposed addition of weigh scales and scalehouse, opening the site for commercial sales, will create an increase in traffic volumes on the adjacent Highway 50 corridor and turning movements in and out of the site, which are not expected to have an impact on the level of service of Highway 50 or surrounding roadways.

If you have any questions, please do not hesitate to contact me at (775)588-6490.

Thank you,



Justin Sand, P.E.
Sr. Project Manager

Manufacturing
(140)

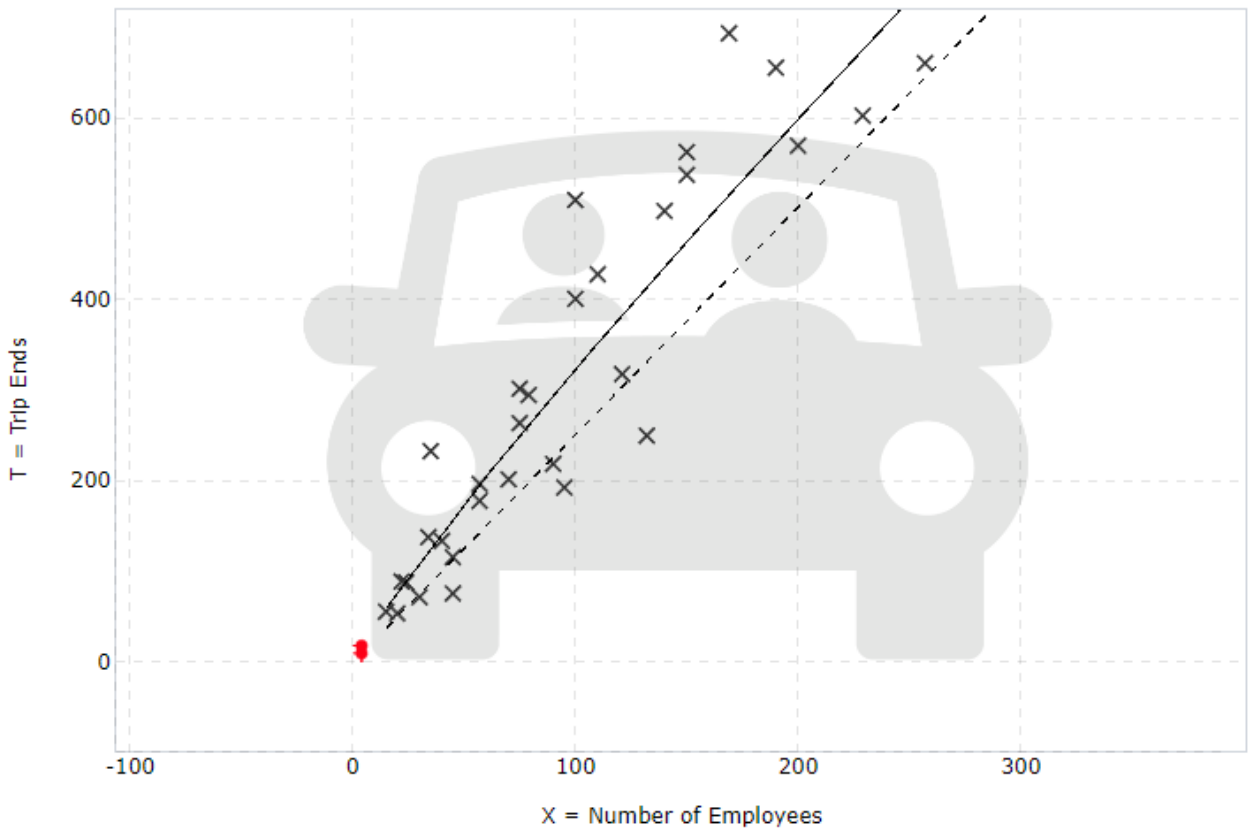
Vehicle Trip Ends vs: **Employees**
On a: **Weekday**

Setting/Location: **General Urban/Suburban**
Number of Studies: 53
Avg. Num. of Employees: 437
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per Employee

Average Rate	Range of Rates	Standard Deviation
2.51	1.15 - 8.05	0.96

Data Plot and Equation



Fitted Curve Equation: Ln(T) = 0.89 Ln(X) + 1.68 **R^2= 0.93**

NEVADA DIVISION OF
ENVIRONMENTAL
PROTECTION

STATE OF NEVADA
Department of Conservation & Natural Resources
Steve Sisolak, *Governor*
Bradley Crowell, *Director*
Greg Lovato, *Administrator*

July 1, 2020

Kale Peery
Cruz Construction Inc.
19 Cygnet Drive
Mound House, NV 89706

Subject: **No Further Action Determination- Dayton Aggregate Pit, Portion of Lyon County Parcel Number 016-401-75, Six-Mile Canyon Alluvial Fan**

Address: 3750 E Highway 50, Dayton, NV
APN No.: 016-401-75

Dear Mr. Peery:

The Nevada Division of Environmental Protection (NDEP) has reviewed the "*Results of Aggregate Pit Characterization, Dayton Gravel Pit, Lyon County*" report dated June 3, 2020 prepared by Caitlin Jelle, P.E., C.E.M. with McGinley & Associates on behalf of Cruz Construction. This letter provides a no further action (NFA) determination for approximately 24 acres of the 130.9 acre parcel identified as Lyon County Assessor's Parcel Number (APN) 016-401-75

Due to concerns of potential contamination resulting from the historic release of mercury within the Carson River Mercury Superfund Site (CRMS), Lyon County has included conditions to the Special Use Permit (SUP) for operation of a commercial aggregate pit that requires satisfaction of stipulations by NDEP related to disturbing soil on the property. Cruz Construction agreed to conduct a limited soil investigation for total mercury in accordance with a NDEP-approved Sampling and Analysis Plan. This investigation is within a specific contiguous area of the property formerly developed as an aggregate pit and indicated by Cruz Construction for redevelopment as a commercial aggregate operation (see attached map Figure 4). NDEP understands that no future expansion of the aggregate pit operation or soil disturbance activity beyond the limits of this subject investigation will occur without prior notification to the county and NDEP.

Based on NDEP's review of the Characterization Report, statistical analysis finds total mercury concentrations to be less than the 11 mg/kg action level within the specific study area; therefore, NDEP has determined that no further action or remediation is required to be protective of human health and the environment.

NDEP may reevaluate this decision if conditions at the site change or if new or previously unidentified information becomes available that: 1) alters the results of the site evaluation; and 2) demonstrates a potential detrimental impact on human health or the environment.

If you have any questions regarding this matter, please feel free to contact me by e-mail dfriedman@ndep.nv.gov or phone number (775) 687-9385.

Sincerely,

David Friedman
Staff Engineer II
Superfund Branch
Bureau of Corrective Actions
Nevada Division of Environmental Protection

ec: Rob Pyzel, Planner, Lyon County Planning Department, rpyzel@lyon-county.org
Sarah Watson, Remedial Project Manager, EPA Region IX, 75 Hawthorne Street SFD-8-2, San Francisco, CA 94105, watson.sarah@epa.gov
Caitlin Jelle, P.E., C.E.M., Project Manager, McGinley & Associates, 5410 Longley Lane, Reno, NV 89511, cjelle@mcgin.com
Rebecca Bodnar, Supervisor, Superfund Branch, BCA

Attachment: Figure 4, Site Map-Showing Property Boundary and Footprint of Pit



FIGURE 4

TITLE:
SITE MAP
-SHOWING-
PROPERTY BOUNDARY
AND FOOTPRINT OF PIT
DAYTON, LYON COUNTY, NV

JOB NO.: CRUZ001

DATE: 6/25/2020

McGinley & Associates
civil/environmental engineering and Science
RENO | LAS VEGAS | www.mcgin.com

FILE: Fig 4 - Parcel & Pit Boundary

COORDINATE SYSTEM: NAD 1983 UTM Zone 11N

DESIGNED	AH	CHECKED	AH	REVISION:
DRAWN	HC	APPROVED	CJ	-

R:\Projects\GIS Data\CRUZ001\Fig 4 - Parcel & Pit Boundary.mxd

Lyon County Board of County Commissioners Agenda Summary

Meeting Date: December 7, 2023

Agenda Item Number:
14.a

Subject:
For Possible Action: Propose an ordinance amending Lyon County Code Title 15- Land Use and Development Code related to Accessory Dwelling Units; Chapter 15.335.03.A and other matters properly related thereto.

Summary:

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:

ATTACHMENTS

- Title 15 Land Use Tiny Homes Draft Ordinance with Track Changes
- Tiny Homes Code Amendment Staff Report
- Senate Bill 150 EN Tiny Houses
- January 20, 2022 BOCC Minutes

Community Development Department

Title 15 Code Amendment:

Tiny Houses

Applicant: Lyon County Community Development

Board of County Commissioners – Item 14.a

December 7, 2023

Community Development Department

Proposed Code Change: 15.335.03.A

REQUEST

Request for Lyon County Code Amendment to Title 15, chapter 335.03.A, ***Uses Permitted Based Upon Standards*****, item 1.** ***Accessory Dwelling Units***

Background

Senate Bill 150 (2021 NV Legislative Session)

During the **2021 regular State Legislative session**, the **Legislature approved**, and the **Governor signed, Senate Bill 150** which **requires local governing bodies** within the State's cities and counties **to include regulations to allow "tiny houses" to be used as single family dwelling units in specific instances**.

The topic of Tiny Houses and their use in Lyon County was already discussed in **Community Development** and presented to the **Board of Commissioners**, on **January 20, 2022** for direction on their insertion into Title 15, the County's Development Code.

Background

Section 1 of Senate Bill 150 requires the governing bodies of a county whose population is under 100,000 to designate:

1. At **least one (1) zoning district** in which a tiny house may be located and classified as an **accessory dwelling unit;**

2. At **least one (1) zoning district** in which a tiny house may be located and classified as a **single family residence;** or

3.At **least one (1) zoning district** in which a tiny house may be located in a **tiny house park.**

Background

Senate Bill 150 (2021 NV Legislative Session)

The topic of Tiny Houses and their use in Lyon County has already been discussed in **Community Development** and presented to the **Board of Commissioners**, on **January 20, 2022** for direction on their insertion into Title 15, the County's Development Code.

The Board's stated preference was in accordance with option one (1), to designate

"at least one (1) zoning district in which a tiny house may be located and classified as an accessory dwelling unit".

Definitions

The 2021 Senate Bill (150) ascribes the definition of **"tiny house"** to that adopted within the **International Residential Code (IRC)** by the International Code Council (ICC).

- Appendix Q of the 2018 IRC under section AQ 102.1 General defines tiny houses as follows:

  "Tiny House. A dwelling that is 400 square feet (37 m2) or less in floor area excluding lofts."

- Further defining a tiny house, the IRC includes within Section R202 – Definitions, the following:

  "**Dwelling.** Any building that contains one or two **dwelling units** used, intended, or designed to be built, **used, rented, leased**, let or hired out to be occupied, or that are **occupied for living purposes**."

  "**Dwelling Unit.** A **single unit** providing complete independent living facilities for one or more persons, including **permanent provisions for living, sleeping, eating, cooking and sanitation**."

Therefore a tiny house per the 2018 IRC has **to include a living area, kitchen and a bathroom**, all of which can be designed and **constructed to fit into a footprint of 400 square feet or less**.

15.335.03.A.1 USES PERMITTED BASED ON STANDARDS

15.335.03.A: ACCESSORY DWELLING UNITS AND ACCESSORY BUILDINGS:

1. Accessory Dwelling Unit:

~~a. Residential~~ a. Accessory dwelling units in Agricultural, Resource, Residential, Commercial/Mixed-Use, and Employment Districts shall not exceed fifty percent (50%) of the square footage of the livable area of the primary structure or one thousand one hundred (1,100) square foot of gross floor area, whichever is less. Only one (1) accessory dwelling unit is permitted per individual parcel. One property owner of several parcels cannot aggregate all of the accessory dwelling units permitted for each individual parcel onto one or more parcel under the same ownership.

15.335.03.A.1 USES PERMITTED BASED ON STANDARDS (new section)

15.335.03.A: ACCESSORY DWELLING UNITS AND ACCESSORY BUILDINGS:

a. .....

b. "Tiny houses", as defined by the 2018 International Residential Code (IRC), are "a dwelling that is 400 square feet or less in floor area excluding lofts" and as "a single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation". Tiny Houses, as defined in this provision, are permitted in zoning districts that permit accessory dwelling units provided the units are constructed in accordance with IRC standards and are placed upon a foundation design stamped by a NV-licensed professional engineer.

Planning Commission

On November 14, 2023, the **Planning Commission** heard staff's presentation and **voted unanimously to recommend approval** (7-0) of the draft ordinance to the Board.



Community Development Department

Questions?

0

SUMMARY: AN ORDINANCE AMENDING LYON COUNTY CODE TITLE 15 – LAND USE AND DEVELOPMENT CODE RELATED TO ACCESSORY DWELLING UNITS; CHAPTER 15.335.03.A AND OTHER MATTERS PERTAINING THERETO.

TITLE: AN ORDINANCE AMENDING THE LYON COUNTY LAND USE AND DEVELOPMENT CODE - TITLE 15; ACCESSORY DWELLING UNITS; AND OTHER MATTERS PROPERLY RELATED THERETO.

Explanation: Matters underlined and in blue are new or added language; matters ~~struck out and in red~~ are deletions or removed language.

WHEREAS, Lyon County, Nevada, is a political subdivision of the State of Nevada;

WHEREAS, NRS 278.020 authorizes cities and counties to regulate and restrict the improvement of land and to control the location and soundness of structures for the purpose of promoting health, safety, morals, or the general welfare of the community;

WHEREAS, Senate Bill 150 of the 81st session of the Nevada Legislature in 2021 requires local governing bodies within the State's cities and counties to include regulations to allow "tiny houses" to be used as single family dwelling units in specific instances; NOW THEREFORE,

THE BOARD OF COUNTY COMMISSIONERS OF LYON COUNTY, NEVADA DOES HEREBY ORDAIN:

Section 1. The Lyon County Land Use and Development Code, Title 15, Chapter 340 is hereby amended as follows:

CHAPTER 15.335.03 USES PERMITTED BASED ON STANDARDS:

15.335.03.A: ACCESSORY DWELLING UNITS AND ACCESSORY BUILDINGS:

1. Accessory Dwelling Unit:
   a. ~~Residential a~~Accessory dwelling units in Agricultural, Resource, Residential, Commercial/Mixed-Use, and Employment Districts shall not exceed fifty percent (50%) of the square footage of the livable area of the primary structure or one thousand one hundred (1,100) square foot of gross floor area, whichever is less. Only one (1) accessory dwelling unit is permitted per individual parcel. One property owner of several parcels cannot aggregate all of the accessory dwelling units permitted for each individual parcel onto one or more parcel under the same ownership.
   b. "Tiny houses", as defined by the 2018 International Residential Code (IRC), are "a dwelling that is 400 square feet or less in floor area excluding lofts" and as "a single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating,

cooking and sanitation". Tiny Houses, as defined in this provision, are permitted in zoning districts that permit accessory dwelling units provided the units are constructed in accordance with IRC standards and are placed upon a foundation design stamped by a NV-licensed professional engineer.

~~b~~.c. In Residential Districts, the accessory dwelling unit shall be sited to the rear of the primary structure or to the side as a secondary option.

~~c~~.d. Accessory dwelling units shall meet the principal building setbacks listed in chapters 310 through 314 of this title for the zoning district.

~~d.~~e. The accessory dwelling unit height shall not exceed the height of the principal structure.

~~e~~.f. The exterior of the accessory dwelling unit must be compatible with the principal residence in terms of color, siding, roof pitch, window detailing, roofing materials, and foundation or skirting appearance as determined by the Director.

~~f~~.g. Adequate off-street parking must be provided for any vehicles owned by occupants of the accessory unit.

Section 3. If any section of this ordinance or portion thereof is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not invalidate the remaining parts of this ordinance.

Section 4. All ordinances, parts of ordinances, chapters, sections, subsections, clauses, phrases or sentences contained in the Lyon County Code in conflict herewith are hereby repealed.

Section 5. This ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.

Proposed on the _____day of _____, 2023.

Proposed by Commissioner: _____

THIS Ordinance has been PASSED, ADOPTED and APPROVED this _____day of _____, 2023 by the following vote of the Board of Commissioners, Lyon County:

Ayes: _____

Nays: _____

Absent: _____

Attest:

_____ _____

County Clerk Chair of the Board

This ordinance shall be in force and effect from and after the _____ day of the month of _____of the year_____.

LYON COUNTY
COMMUNITY DEVELOPMENT DEPARTMENT
BUILDING • DEVELOPMENT ENGINEERING • PLANNING

27 S. MAIN STREET
YERINGTON, NEVADA 89447
(775) 463-6592
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34 LAKES BOULEVARD
DAYTON, NEVADA 89403
(775) 246-6135
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STAFF REPORT

Staff Report and Planning Commission Action

Zoning Text Amendment	Amendments to Title 15: Tiny Homes
Meeting Date	December 7, 2023
Applicant	Lyon County Community Development Department
Representative	Community Development Director - Louis Cariola

REQUEST

Request for Lyon County Code Amendment to Title 15, chapter 335.03.A, *Uses Permitted Based Upon Standards*, item 1. *Accessory Dwelling Units*

BACKGROUND AND REVIEW

The topic of Tiny Houses and their use in Lyon County has already been discussed in Community Development and presented to the Board of Commissioners, who provided direction for ordinance amendment to Title 15, the County's Development Code in 2022 (details below).

On November 11, 2023, the Planning Commission voted unanimously (7-0) to forward a recommendation of approval to the Board of the draft ordinance.

Senate Bill 150 (2021 NV Legislative Session)

During the 2021 regular State Legislative session, the Legislature approved, and the Governor signed, Senate Bill 150 which requires local governing bodies within the State's cities and counties to include regulations to allow "tiny houses" to be used as single family dwelling units in specific instances.

Section 1 of Senate Bill 150 requires the governing bodies of a county whose population is under 100,000 to designate:

1. At least one (1) zoning district in which a tiny house may be located and classified as an accessory dwelling unit;
2. At least one (1) zoning district in which a tiny house may be located and classified as a single family residence; or
3. At least one (1) zoning district in which a tiny house may be located in a tiny house park.

Board of Commissioners

At the January 20, 2022 Board of Commissioners meeting, Community Development staff made a presentation regarding the types of, and regulations regarding, "tiny houses". The Board's stated preference was in accordance with option one (1) above, to designate "at least one (1) zoning district in

which a tiny house may be located and classified as an accessory dwelling unit". (Bill 150 and the minutes from the January 20, 2022 Board Hearing are attached.)

Definitions

The proposed amendment to Title 15 is to the Code section (15.335.03.A.1) that addresses Accessory Dwelling Units. In summary, the amendment adds the allowance of "tiny houses" in all zoning districts that permit Accessory Dwelling Units.

The 2021 Senate Bill (150) ascribes the definition of "tiny house" to that adopted within the International Residential Code (IRC) by the International Code Council.

- Appendix Q of the 2018 IRC under section AQ 102.1 General defines tiny houses as follows:

  "Tiny House. A dwelling that is 400 square feet (37 m2) or less in floor area excluding lofts."

- Further defining a tiny house, the IRC includes within Section R202 – Definitions, the following:

  "Dwelling. Any building that contains one or two dwelling units used, intended, or designed to be built, used, rented, leased, let or hired out to be occupied, or that are occupied for living purposes."

  "Dwelling Unit. A single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation."

Therefore a tiny house per the 2018 IRC has to include a living area, kitchen and a bathroom, all of which can be designed and constructed to fit into a footprint of 400 square feet or less.

STAFF RECOMMENDATION

Staff recommends approval of the zoning text amendments as outlined above and in the attached Draft Ordinance.

RECOMMENDED MOTION

If the Board of Commissioners determines they want to approve to the proposed text amendments, then the Commissioners should consider a motion similar to the following:

Based on the staff analysis contained in the staff report and review of the draft ordinance, I propose the Zoning Text Amendments to amend Lyon County Code Title 15 – Land Development Code; Chapter 335.03.3.A.1; to introduce allowances for Tiny Houses to be used as accessory dwelling units; and other matters properly related thereto, as described in the attached draft Ordinance.

Senate Bill No. 150–Senators D. Harris, Donate, Buck; Denis and Lange

CHAPTER.....

AN ACT relating to housing; requiring the governing body of a city or county to authorize tiny houses in certain zoning districts; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law authorizes a governing body to divide the city, county or region into zoning districts of such number, shape and area as are best suited to carry out certain purposes. Within a zoning district, the governing body may regulate and restrict the erection, construction, reconstruction, alteration, repair or use of buildings, structures or land. (NRS 278.250) **Section 1** of this bill requires the governing body of a county whose population is 100,000 or more (currently Clark and Washoe Counties) or the governing body of a city whose population is 150,000 or more (currently, the cities of Henderson, Las Vegas, North Las Vegas and Reno) to designate: (1) at least one zoning district in which a tiny house may be located and classified as an accessory dwelling unit; (2) at least one zoning district in which a tiny house may be located and classified as a single-family residence; and (3) at least one zoning district in which a tiny house may be located in a tiny house park. **Section 1** also requires the governing body of a county whose population is less than 100,000 (currently all counties other than Clark and Washoe Counties) or the governing body of a city whose population is less than 150,000 (currently all cities other than the cities of Henderson, Las Vegas, North Las Vegas and Reno) to designate: (1) at least one zoning district in which a tiny house may be located and classified as an accessory dwelling unit; (2) at least one zoning district in which a tiny house may be located and classified as a single-family residence; or (3) at least one zoning district in which a tiny house may be located in a tiny house park. **Section 1** further: (1) requires the governing body of a county or city to consider certain health and environmental effects of the locations of tiny houses in the zoning districts designated in the ordinance on certain populations; (2) authorizes the governing body of a county or city to set forth additional requirements for tiny houses and tiny house parks; and (3) requires the governing body of a county or city to define "tiny house" in accordance with the definition adopted in the International Residential Code by the International Code Council or its successor organization.

EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~[omitted material]~~ is material to be omitted.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 278 of NRS is hereby amended by adding thereto a new section to read as follows:

1. A governing body of a county whose population is 100,000 or more or a governing body of a city whose population is 150,000 or more shall adopt an ordinance for the zoning of tiny houses that:

(a) Designates at least one zoning district in which a tiny house may be located and classified as an accessory dwelling unit;

(b) Designates at least one zoning district in which a tiny house may be located and classified as a single-family residential unit; and

(c) Designates at least one zoning district in which a tiny house may be located in a tiny house park.

2. A governing body of a county whose population is less than 100,000 or a governing body of a city whose population is less than 150,000 shall adopt an ordinance for the zoning of tiny houses that:

(a) Designates at least one zoning district in which a tiny house may be located and classified as an accessory dwelling unit;

(b) Designates at least one zoning district in which a tiny house is allowed to be located and classified as a single-family residential unit; or

(c) Designates at least one zoning district in which a tiny house may be located in a tiny house park.

3. Before adopting an ordinance pursuant to subsection 1 or 2, the governing body of a county or city must consider whether the locations of tiny houses in the designated zoning districts will have disproportionately high and adverse human health and environmental effects on minority populations and low-income populations.

4. An ordinance adopted pursuant to subsection 1 or 2:

(a) May:

(1) Include any other requirements for tiny houses that the governing body determines is necessary; and

(2) Provide that a certificate of occupancy issued for a tiny house may limit the tiny house to use as a single-family residential unit or an accessory dwelling unit.

(b) Shall require that a tiny house that is:

(1) Located in:

(I) A zoning district designated pursuant to paragraph (a) of subsection 1 or paragraph (a) of subsection 2 is classified as an accessory dwelling unit on any building permit or zoning approval issued for the tiny house;

(II) A zoning district designated pursuant to paragraph (b) of subsection 1 or paragraph (b) of subsection 2 is classified as a single-family residential unit on any building permit or zoning approval issued for the tiny house; and

(III) A zoning district designated pursuant to paragraph (c) of subsection 1 or paragraph (c) of subsection 2 is classified as

a tiny house on any building permit or zoning approval issued within the tiny house park.

(2) Not built on a permanent foundation may only be issued a certificate of occupancy for the tiny house that is tied to the specific parcel of land on which the tiny house is located. If the tiny house is moved from that parcel, the owner of the tiny house must obtain a new certificate of occupancy.

5. An ordinance adopted pursuant to subsection 1 or 2 that allows for tiny houses to be located in tiny house parks must also establish requirements for tiny house parks, including, without limitation, requirements for:

(a) Community water and wastewater service;

(b) Adequate spacing between tiny houses in the tiny house park to allow for access for public safety services, including, without limitation, access for firefighting equipment and vehicles and utilities;

(c) Minimum size requirements for each space in the tiny house park for a tiny house;

(d) The minimum or maximum lot size of a tiny house park;

(e) Open space within the tiny house park; and

(f) Parking within the tiny house park.

6. An ordinance adopted pursuant to subsection 1 or 2 must define "tiny house" in accordance with the definition adopted in the International Residential Code by the International Code Council or its successor organization.

Secs. 2-5. (Deleted by amendment.)

Sec. 6. NRS 278.0235 is hereby amended to read as follows:

278.0235 No action or proceeding may be commenced for the purpose of seeking judicial relief or review from or with respect to any final action, decision or order of any governing body, commission or board authorized by NRS 278.010 to 278.630, inclusive, ***and section 1 of this act*** unless the action or proceeding is commenced within 25 days after the date of filing of notice of the final action, decision or order with the clerk or secretary of the governing body, commission or board.

Sec. 7. NRS 278.250 is hereby amended to read as follows:

278.250 1. For the purposes of NRS 278.010 to 278.630, inclusive, ***and section 1 of this act,*** the governing body may divide the city, county or region into zoning districts of such number, shape and area as are best suited to carry out the purposes of NRS 278.010 to 278.630, inclusive ~~[.]~~ ***, and section 1 of this act.*** Within the zoning district, it may regulate and restrict the erection,

construction, reconstruction, alteration, repair or use of buildings, structures or land.

2. The zoning regulations must be adopted in accordance with the master plan for land use and be designed:

(a) To preserve the quality of air and water resources.

(b) To promote the conservation of open space and the protection of other natural and scenic resources from unreasonable impairment.

(c) To consider existing views and access to solar resources by studying the height of new buildings which will cast shadows on surrounding residential and commercial developments.

(d) To reduce the consumption of energy by encouraging the use of products and materials which maximize energy efficiency in the construction of buildings.

(e) To provide for recreational needs.

(f) To protect life and property in areas subject to floods, landslides and other natural disasters.

(g) To conform to the adopted population plan, if required by NRS 278.170.

(h) To develop a timely, orderly and efficient arrangement of transportation and public facilities and services, including public access and sidewalks for pedestrians, and facilities and services for bicycles.

(i) To ensure that the development on land is commensurate with the character and the physical limitations of the land.

(j) To take into account the immediate and long-range financial impact of the application of particular land to particular kinds of development, and the relative suitability of the land for development.

(k) To promote health and the general welfare.

(l) To ensure the development of an adequate supply of housing for the community, including the development of affordable housing.

(m) To ensure the protection of existing neighborhoods and communities, including the protection of rural preservation neighborhoods and, in counties whose population is 700,000 or more, the protection of historic neighborhoods.

(n) To promote systems which use solar or wind energy.

(o) To foster the coordination and compatibility of land uses with any military installation in the city, county or region, taking into account the location, purpose and stated mission of the military installation.

3. The zoning regulations must be adopted with reasonable consideration, among other things, to the character of the area and its peculiar suitability for particular uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the city, county or region.

4. In exercising the powers granted in this section, the governing body may use any controls relating to land use or principles of zoning that the governing body determines to be appropriate, including, without limitation, density bonuses, inclusionary zoning and minimum density zoning.

5. As used in this section:

(a) "Density bonus" means an incentive granted by a governing body to a developer of real property that authorizes the developer to build at a greater density than would otherwise be allowed under the master plan, in exchange for an agreement by the developer to perform certain functions that the governing body determines to be socially desirable, including, without limitation, developing an area to include a certain proportion of affordable housing.

(b) "Inclusionary zoning" means a type of zoning pursuant to which a governing body requires or provides incentives to a developer who builds residential dwellings to build a certain percentage of those dwellings as affordable housing.

(c) "Minimum density zoning" means a type of zoning pursuant to which development must be carried out at or above a certain density to maintain conformance with the master plan.

Sec. 8. (Deleted by amendment.)

Sec. 9. This act becomes effective on January 1, 2024.

20 ~~~~~ **21**

The Honorable Board of Lyon County Commissioners met this day, Thursday, January 20, 2022, at 9:00 a.m. in the DAYTON UTILITIES CONFERENCE ROOM, 34 LAKES BLVD, DAYTON, NV 89403.

1. Roll Call

Present: Vida Keller, Ken Gray, Wes Henderson, Robert Jacobson, and Dave Hockaday

Staff: District Attorney Steve Rye, County Manager Jeff Page, Utilities Director David Bruketta, Facilities Director Doug Homestead and Community Development Director Andrew Haskins.

2. Invocation given by Betty Weiser of the United Methodist Church

Betty Weiser gave the invocation.

3. Pledge of Allegiance

4. Public Participation

There was none

5. For Possible Action: Review and adoption of agenda

Comm. Gray requested items 6.a and 14 d. be pulled and to move item 14 a. to follow 7.a.

Comm. Jacobson moved to approve the agenda with the requested amendments

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

6. Time Certain

6.a. Time Certain at 10:00 A.M. Public Hearing- Bill No. 22-02: For Possible Action: Approve an ordinance amending Lyon County Code Title 1 - Administrative, Chapter 5 - Board of County Commissioners, by amending Section 3 Election District Boundaries.

This item was pulled from the agenda.

6.b. Time Certain at 10:15 AM: Presentation only on Bail Jail reform by Sheriff's Office.

Sheriff Frank Hunewill, Lieutenant Barnes and Nicole Cisneros, from the Lyon County Sheriff's Office, gave a presentation summarizing the requirements of Bill 424; the current process in booking/releasing and the anticipated effects on process for the Jail, District and Municipal Courts, as well as the District Attorney's office.
Discussion continued between the Commissioners and Sheriff Hunewill regarding process, policy and potential staffing/funding demands.

7. Presentation of awards and/or recognition of accomplishments

7.a. Presentation Only: Present Deputy Taylor Schairer with a Lyon County Sheriff's Office Life Saving Award.

Item was continued to the next meeting, the recipient was ill and unable to make the meeting.

8. Commissioners/County Manager reports

Comm. Jacobson congratulated Wendy Madson on the Nevada Human Services award. He attended the Youth Stepping Up Forum, and thanked Eric Smith and Shayla Holmes for hosting it. He also attended the Lyon County Emergency Planning meeting. Several Dayton residents have contacted him regarding the flooding issues in that area which was touched on at that meeting. Comm. Jacobson asked County Manager Jeff Page to speak about the floodplains on both sides of Highway 50. He attended the Fernley City Council meeting via Zoom. Comm. Jacobson recognized Sheriff Hunewill for his hard work throughout the County. He went on to say the City of Fernley is expressing a lot of growth concerns and they lost the first round of their lawsuit regarding the lining of the canal. He expressed the need to support the City of Fernley in the fight against lining the canal. He ended by thanking Dayton High school for the Polo shirt they gave him.

Comm. Gray asked if Comm. Jacobson knew why the City of Fernley lost the first round against lining the canal. Comm. Jacobson responded there were various reasons. TCID and BORD didn't have to conduct any studies showing any possible damages lining the canal may cause. Basically saying it is for

lining and that anyone on private wells are basically stealing water. It could have devastating effects on the city water and wells.

Comm. Keller stated she was happy to be in Dayton. She expressed the importance of the county getting behind Fernley in supporting them in this issue.

Comm. Hockaday said his neighbor's well dried up and his was being dug deeper the following Monday. When he attended the Walker River Irrigation District meeting it was reported the irrigation reservoirs are at about 40%. He reported the snow pack is at about 70% of normal for the year. He attended the Lions Club Speech Contest as a judge and complimented all the students that participated. He expressed his appreciation for the Community Service clubs that help support the students to help them prepare for their future.

Comm. Henderson said he Zoomed into the January 11, 2022 Planning Commission meeting and attended the CAMPO (Carson Area Metropolitan Planning Organization) meeting.

Comm. Gray attended the Carson Water Subconservancy District (CWSD) meeting January 19, 2022. One of the many things that were discussed was the EPA Super Fund Site and what they are doing regarding cleaning up the mercury in the river. Because the County is a Super Fund Site if there is a flood the County is ineligible for FEMA dollars to shore up or do anything along the river to prevent any further damage. EPA, who would give the funds, has no money for the Super Fund Site. So while they are trying to prevent more damage from being done they are creating more damage. The County and staff are working on it. He reported there was another crash on Highway 50 at the 341 turn off going to Virginia City last night. He went on to express the importance of the need for NDOT to address safety issues.

County Manager Jeff Page gave an update on the Dayton Bridge project. The County is looking at the East end of Dayton based on the Master Plan. There has been conversation with Nevada Department of Transportation (NDOT) regarding infrastructure funding. Once the location is determined the County will move toward obtaining the land from BLM and securing easements. There were further discussions with NDOT regarding road improvements the County expressed as high priority; Opal, Ramsey Weeks, Miller and Aiazzi. Looking for grant funding to help with the needed improvements.

Mr. Page said the County was aware of the court's decision regarding the lining of the TCID Canal in Fernley and they did come out and say the people on wells in Fernley may be stealing water from the U.S. Government. There have also been conversations about alternative options to lining the Fernley canal with something other than concrete.

Lastly, Mr. Page said the County is experiencing a number of employee's out sick due to COVID leaving many departments short staffed. He anticipates it will blow over in the next couple weeks.

Comm. Gray asked if anyone has discussed covering the Fernley canal. Mr. Page responded not to his knowledge, just about using an alternative material to line it.

Comm. Hockaday asked if the State will go after people on private wells in other areas of the County with the new ruling. Mr. Page explained the Walker and Carson River water is set by decree or a Federal ruling and are written differently than the Truckee. The TCID says the water belongs to the U.S. Citizens.

9. Elected Official's reports

Sheriff Hunewill said they recently hired 6 new people and lost 2. They will be sending 5 people to the Academy starting Monday January 24, 2022 and another 5 in July. The department recently received their 4th dog back from training. There were some SRO changes in Dayton.

10. Appointed Official's reports

10.a. Presentation only: Department of Human Services Monthly Report - Human Services Update through 12-31-2021

Human Services Director Shayla Holmes submitted a report to the board. She thanked the Yerington Lions Club for their donation of 27 coats. Stated data from NACO shows an increase in Children Protective Services Assessment, they are working to stabilize and ultimately reduce. Ms. Holmes is the appointee for the Substance Abuse Working group. They are asking for recommendations on the Needs Assessment the State is doing on opioid response. The preliminary report showed Lyon County was the second highest county for opioid related deaths in 2020 and ranked high in multiple risk factors.

Comm Gray said a Commissioner from another County said the Governor's Commission on Aging is looking for a representative for Lyon County.

Shayla responded it was her understanding they are looking for a Commissioner from a rural County. She said she would look into it further. Comm. Gray said they could find someone to fill that role.

Doug Homestead, Facilities Director, summarized the monthly report that was given to the Board. He noted the Central Lyon County Park's Board is not meeting due to not having a quorum which holds up projects because they don't have direction from the Board on how to proceed.

Community Development Director, Andrew Haskin, gave the Board a report on the Community Development Department. He noted one error regarding the different taxes and fees collected. .He said he will correct it.

11. Advisory Board Reports

Gina Lee with the Dayton Regional Advisory Board reported to the Board there was a lot of discussion about flooding at their last meeting. She thanked the Board for their support.

Melinda Cash with the Mound House Advisory Board reviewed two important agenda items coming up on their February agenda. The 1st being final discussion for the proposed GID for the Mound House pool. The other item is discussion on a Community Center. Melinda Cash responded to the County Manager's question about what the community will utilize a Community Center for. She said since they currently have no facility, the community can't even have something as simple as a coat drive. She went on to talk about the 2 acres donated many years back and she would like to see it utilized to construct a Community Center.

CONSENT AGENDA

Comm. Jacobson moved to approve the consent agenda items #12.a – 13.b.

Comm. Keller seconded.

Comm. Gray asked for public participation, there was none, and the motion passed 5-0.

12. for Possible Action: Approve County Commission Minutes
12.a. For Possible Action: Approve the January 6, 2022 minutes.

13. Other Consent Items
13.a. For Possible Action: Review and accept travel claims.
- Travel Report 12-31-21

Travel claims total as of December 31, 2021 was $1,099.81.

13.b. For Possible Action: Review and accept claims and financial reports.
- Cash Report 12-31-21
- Claims Report 12-16-21 to 12-31-21

The cash balance as of December 31, 2021 was $90,935,971.20. County claims totaled $1,016,838.08 and payroll totaled $2,281,958.08.

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

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

14. County Manager
14.a. For Possible Action: Approve a resolution of the Lyon County Board of County Commissioners recognizing "Dream Flights" for honoring WWll Veterans and collecting and preserving their stories to share with future generations. (Requested by Comm. Henderson)

Comm. Henderson read the resolution into the record and thanked the organization for their work.

Comm. Henderson motioned to approve a resolution of the Lyon County Board of County Commissioners recognizing "Dream Flights" for honoring WWll Veterans and collecting and preserving their stories to share with future generations.

Comm. Hockaday seconded and the motion passed 5-0.

Comm. Gray asked for public participation;
Darryl Fisher with Dream Flights explained that their organization Provides "Dream Flights" for WWII Veterans across the Country and now locally.

14.b. For Possible Action: Authorize and direct the County Manager to create a public YouTube page to store audio-visual recordings of County Commission Meetings, Planning Commission Meetings and County approved public service/information announcements. (Requested by Comm. Gray)

Jeff Page explained the County is in the process of shopping for new agenda and minute software and would like to hold off creating a YouTube page until a software has been selected to ensure it is compatible. Many of them have the ability to create a YouTube page. Mr. Page went on to say Zoom works well, there is good public attendance and he would like to hold off on creating a YouTube page until the public gets use to using to change it when the new software is implemented.

Comm. Gray said the intent was to have a live video people can go to and decide what portion of the video they want to view. He doesn't see the need to have it integrated with the new software.

Mr. Page responded he wants to make sure the new agenda/minutes software will be compatible, make it easily accessible for the public and user friendly for staff.

Comm. Keller commented that meetings are currently recorded via Zoom and the public can request a video. Moving forward, making sure all the software works together is important. So taking the extra time to do the research will not keep the pubic from obtaining or viewing the video.

Josh Foli said many of the software systems have the ability to generate the YouTube information being discussed. He would like to avoid creating a channel that the public gets familiar with only to change it when the software is implemented. He would like to have the software priced out and can make a recommendation to the Board through budget process.

Comm. Keller motioned to authorize and direct the County Manager to bring back recommendations for a YouTube like page to store audio-visual recordings of County Commission Meetings, Planning Commission Meetings and County approved public service/information announcements. (Requested by Comm. Gray)

Comm. Hockaday seconded.

Comm. Gray asked for public participation,
Gina Lee asked if the County is planning to put historic information on the page, such as past meetings.

Comm. Gray responded that hasn't been discussed yet and will probably come down to a storage capacity.

The motion passed 5-0.

14.c. For Possible Action: Authorize and direct the County Manager to provide Wi-Fi capabilities at the former Smith Valley Justice Court building and the Silver City Community Center. (Requested by Commissioners Hockaday and Henderson)

County Manager, Jeff Page said the Silver City location is less problematic because the County owns the building. The problem with the Smith Valley site is the County does not own it.

Josh Foli reviewed the different options for Wi-Fi at both locations.

The Silver City Community Center: The most expensive option is AT&T, giving the County a pretty dedicated line in. However, it is cost prohibitive. The county checked into a microwave vendor to bring wireless into the building. For 8 mgbts per second download it runs roughly $59.00 a month, $79.00 for 16 mgbts, with a onetime installation fee. Mr. Foli said his recommendation is, if the Board pursues that, for funds to come out of Contingency Funding.

There are a couple of options for the Smith Valley site. One is to bring the building into the County's Network which would cost approximately $6,000.00 The other option is using a microwave vendor to bring in internet. Again doing the $59.00 a month plus the one time connection fee. Mr. Foli said he thought the best option for that location is the microwave option or possibly utilizing someone's hotspot on their phone.
Comm. Gray asked if ARPA funds or the Rural Broad Band initiative may be available for this project. Mr. Foli responded the County can use ARPA funds for any government services. However, almost half of those funds have already been allocated.

Comm. Henderson motioned to authorize and direct the County Manager to provide Wi-Fi capabilities at the Silver City Community Center.

Comm. Hockaday seconded.

Comm. Henderson amended the motion to authorize and direct the County manager to provide Wi-Fi capabilities at the Silver City Community Center, to be funded out of Contingency.

Comm. Hockaday seconded.

Comm. Gray asked for public participation, there was none, and the motion passed 5-0.

Comm. Keller moved to authorize and direct the County Manager to tie the former Smith Valley Justice Court building into the Lyon County network to be funded out of ARPA funding.

Comm. Gray Seconded

The motion was amended to authorize and direct the County Manager to tie in the Smith Valley Justice Court building into the Lyon County network, with a budget not to exceed $8,500.00 to come out of ARPA funds.

Comm. Gray Seconded

Comm. Gray asked for public participation, there was none, and the motion passed 5-0.

14.d. For Possible Action: Discussion of election integrity and the election process. (Requested by Commissioner Gray)

Item was pulled from the agenda

14.e. For Possible Action: Direct staff to schedule Commission meetings at the Lyon County Senior Center (Fernley), the Lyon County Library (Fernley), or the Lyon County Administrative Complex in Yerington for the Commissioner meetings on March 17, June 16, and September 15, 2022.

Comm. Jacobson motioned to direct staff to schedule Commission meetings at the Lyon County Senior Center (Fernley) for the above mentioned dates. March 17, June 16 and September 15, 2022

Comm. Keller seconded.

Comm. Gray asked for public participation, there was none, and the motion passed 5-0.

14.f. For Possible Action: Authorize the County Manager to author, sign and submit a letter to the Congressional Delegation supporting the City of Fernley with their Public Lands Bill.

Representative for the TRI 11 project, Chris Thompson, made a presentation summarizing the proposed project and the land they are trying to acquire through the Fernley Lands Bill.

Conversation among the Commissioners regarding traffic concerns to and from the site and how the land for the interchange/ by pass road will be acquired.

Comm. Gray asked for public participation

Diane Handzel asked if there was a representative from the City of Fernley present to state their position on the land transfer. She also asked where the water is coming from for this project and if the project developer owns the land for the connecting road or will it be acquired through Eminent Domain.
Chris Thompson responded they do not support Eminent Domain. If they can't acquire the property through the Lands Bill they will purchase it. 200 acre feet of water has been purchased which is more than enough to get this project started.

Comm. Gray stopped public comment because it did not pertain to the agenda item.

Josh Foli asked how the County will secure continued use of the communication tower located on one of the parcels indicated in the Lands Bill. Comm. Gray stated once the parcel is obtained by the City of Fernley the County can work with them and if the parcel is sold the easement will go with the property.

Comm. Keller asked the developer's representative if they provided the information on proposed parcels to Lyon County staff and if the County Manager or staff had reviewed it.

Chris Thompson responded to the Lands Bill and the APN's of proposed parcels had been provided to staff. Jeff Page responded he had not seen it.

Stagecoach resident Toney Stevenson, expressed concern with the County endorsing this Lands Bill without the public having access to the information and having input.

Comm. Henderson moved to authorize the County Manager to author, sign and submit a letter to the Congressional Delegation supporting the City of Fernley with their Public Lands Bill.

Comm.Keller seconded.

The motion passed 5-0.

14.g. For Possible Action: Direct staff to move forward with removing the members of the Stagecoach Advisory Board and to consider consolidating them with the Silver Springs Advisory Board.

Jeff Page reported that the current members have not completed training or submitting an agenda to have a meeting. Staff is recommending removing the current members. Consolidating the board with the Silver Springs Advisory Board could give them an opportunity to work with others to obtain experience to facilitate their own meetings. Currently, the STCAB has held no meetings and the area has not been represented. This will give the community more of an opportunity to meet and give feedback with representatives on the Silver Springs Board. The STCAB, at their request and with more interest, can move back to operating on their own.

Comm. Gray suggested looking at the barriers before taking any action.

Comm. Keller suggested reaching out to members of the Stagecoach Board about having a special meeting with the Silver Springs Advisory Board to help get them up and running.

Comm. Jacobson values Advisory Boards but this seems to be an ongoing issue with this Board. He supports continuing the motion and giving the Advisory Board a specified time frame to come into compliance. If the board does not come into compliance, then look at dissolving the Board.

Discussion continued amongst the Commissioners on options to help the Advisory Board come into compliance.

Comm. Jacobson motioned to direct staff to move forward in reaching out to the Stagecoach Advisory Board giving them 90 days to meet required trainings and set meeting dates or their Stagecoach Advisory Board will be dissolved.

Comm. Gray asked that the motion be amended to say that the Board members be removed rather than the Board being dissolved.

Comm. Jacobson amended his motion to direct staff to move forward in reaching out to the Stagecoach Advisory Board giving them a 90 day time frame to meet required trainings and set meeting dates or the current Board members will be removed.

Comm. Keller seconded.

Comm. Gray asked for public participation;

Betty Retzer stated the Stagecoach Advisory Board /community does not want to be incorporated with the Silver Springs Advisory Board. One of the reasons the Board is unable to meet is they don't have enough active members to have a quorum. If it were made into a three (3) person Board they would have a quorum with two members attending. She went on to ask what the Commissioners have done to help the Advisory Board.

County Manager, Jeff Page said if the Board would like to make the Stagecoach Advisory Board a three (3) person Board, when they get to that agenda item they can make that request. Staff will have to create a resolution to change the by-laws for that Board.

Diane Handzel was upset the Commissioners jumped right to dissolving the Advisory Board, taking away the community's voice.

Melinda Cash said the required training is on Zoom, recorded and made available to everyone at their convenience, it's easy and there is no excuse for not doing it. She expressed issues with the technology

changes put on the Advisory Boards by the County and maybe staff should allow struggling boards to go back to doing things the old way or extend extra support.

Gina Lee stated when people apply for an Advisory Board position the requirements are very clear so it shouldn't be a surprise to anyone. The County Manager's office has done a good job of making the required trainings very accessible. She has I.T. experience and is willing to help any of the other Advisory Boards/members that are struggling with the technology part.

Margot Easley expressed concerns with what's been said, specifically dissolving the Board. She recommends keeping it a 5 person board and Lyon County needs to be better about letting people know there are openings. Stagecoach is an active community. Perhaps COVID is affecting the ability to hold meetings. She went on to ask what the Commissioners have done to help the Advisory Board and how many of them have attended any of their meetings in the recent past.

Michael Cline addressed not having enough active members for a quorum and perhaps they needed a little push to get things together. He also mentioned Silver Springs and Stagecoach are very different communities and he is glad the Board is not in support of combining the two Advisory Boards. He thanked the Commissioners for giving the Advisory Board more time to come into compliance.

Tony Stevenson expressed concern about the quick decision to dissolve the Stagecoach Advisory Board.

Amanda Brinand said she was happy to hear the Silver Springs Advisory Board does not want to adopt the Stagecoach Advisory Board. She went onto say the Stagecoach Advisory Board does need to step up and she is willing to assist getting the Advisory Board up and running.

Timothy Blank said he is going to apply for the Stagecoach Advisory Board, he is not in favor of a 3 person Board.

Leslie Sexton said she was opposed to reducing the number of members and the County should give those members sufficient time to come in to compliance.

Gary Handzel commented that Stagecoach is a distinct and separate part of Lyon County and being such, should have their own representation. Stagecoach residents do care and will show up. He also expressed concern about dissolving or combining the Advisory Board with Silver Springs. He said he supports it becoming a three person board if that is what it takes to continue the Board.

Comm. Henderson said the Board is not jumping to dissolving the Stagecoach Advisory Board, this has been an ongoing issue for over a year. Erin Lopez works very hard with the Board members to get them trained. Nothing has worked so far, threatening this dissolution got your attention.

Comm. Jacobson said he values the Advisory Boards input. They are a communication piece for their community and was happy to see the outcome from today.

Comm. Gray said none of the Board members have expressed wanting to dissolve this Advisory Board or any Board. All of the Commissioners have had contact, offered support to their respective community Advisory Boards and encouraged people to get involved, apply and attend meetings.

There being no further comments the motion passed 5-0.

15. Board Appointments and Resignations

15.a. For Possible Action: Appoint up to three (3) members to the Stagecoach Advisory Board, with terms expiring December 31, 2023.
- Annette Carpenter, Application

Comm. Jacobson moved to appoint Annette Carpenter to the Stagecoach Advisory Board, with a term expiring December 31, 2023.

Comm. Gray seconded.

Comm. Gray asked for public participation, there was none, and the motion passed 5-0.

15.b. For Possible Action: Accept resignation from Suzanne Armstrong from the Central Lyon County Parks and Recreation Board.

Comm. Henderson recommended reconsidering meeting location.
Comm. Keller stated no matter where you hold the meeting it's likely someone will have to travel.
Comm. Jacobson asked if they have the ability to attend via Zoom.
County Manager, Jeff Page responded the County can make that happen if the Board would like that option.

Comm.Henderson moved to accept resignation from Suzanne Armstrong from the Central Lyon County Parks and Recreation Board.

Comm. Hockaday seconded.

Comm. Gray asked for public participation, there was none, and the motion passed 5-0.

16. Comptroller

16.a. For Possible Action: Approve a reorganization of the Parks Department by adding one Senior Parks Maintenance Worker position as well as purchases of equipment and supplies to be funded by decreasing contracted work and from a contingency budget transfer of $130,500.

Mr. Foli summarized the agenda request and recommended approval of the item as presented.
Comm. Hockaday asked how much this would reduce the contract that was signed to maintain parks at $160,000.00.

Mr. Foli said approximately $100,000.00 maybe more. Doug Homestead said with the estimated fees to maintain the Silver Springs Field it will probably be closer to $130,000.00

Comm. Henderson said he is in support of this, it allows the County to oversee quality control.

County Manager, Jeff Page said the contract for maintaining the fields/parks now is from May-November, whereas this would be a full time employee, year round, for less.

Comm. Henderson moved to approve a reorganization of the Parks Department by adding one Senior Parks Maintenance Worker position as well as purchases of equipment and supplies to be funded by decreasing contracted work and from a contingency budget transfer of $130,500.

Comm. Jacobson seconded.

Comm. Gray voiced concerns about adding the expense to the budget, swelling government with the possibility of a recession hitting and not having funds in the budget then having to lay people off.

Comm. Gray asked for public participation, there was none, and the motion passed 5-0.

16.b. For Possible Action: Discussion and direction to staff from the Board of Commissioners for items the Board wishes to be considered in the upcoming budget process.

The Commissioners complemented Mr. Foli on being clear and concise regarding the budget, where funds are being spent and giving recommendations on best way to utilize funds.

Comm. Henderson asked Mr. Foli to give a summary or over view of what he see's coming down the line this budget cycle.

Mr. Foli gave an overview of proposed revenue and possible budget increases. With Bill 424 being passed the Sheriff's department will need extra funds.

Comm. Gray requested looking at funds to "clean up our backyard". Possibly a tow budget to work with the Sheriff's office addressing abandoned vehicles.

Comm. Gray closed item 16 b., thaere was no motion necessary. Comm. Gray asked for public participation.

Gina Lee- Dayton resident, asked for more mobile speed signs to be placed in neighborhoods to help with speeding issues. She said they have one now but it does not display speed.

Eddie Lorton suggested looking into forbearance agreements as they might be of benefit to the County.

The motion passed 5-0.

17. Community Development

17.a. For Possible Action: Provide direction to the Community Development Director on amending the Solid Waste Disposal Franchise RFP to include a provision for waste disposal at a future Lyon County Landfill.
-Staff Report

Community Development Director, Andrew Haskin summarized the agenda request. After conversation with District Attorney, Steve Rye, the County can require the winner of the Solid Waste Disposal Agreement to dispose of waste in a Lyon County Land Fill, if/when there is one. Andrew recommended adding language to the contract requiring the franchise to dispose of the solid waste in a Lyon County landfill rather than amending the Request For Proposal (RFP). Since the contract included in the RFP is a sample it can be amended. Mr. Haskin did say language will need to be added to the contract requiring renegotiation of cost because Lyon County doesn't currently have a Landfill and there is no feasible way for a bidder to set their prices without having those possible price increases.

Comm. Jacobson asked if there was any land earmarked for a future Landfill site and confirmed the RFP contract is a 10 year contract. He went on to say, by the time the land was acquired and the facility was completed it's likely it will be at least 10 years out.

Conversation continued among the Commissioners, District Attorney, Steve Rye and Andrew Haskin regarding how to offset possible price increases, confirming that the RFP will not need to be amended if the specific language is added to the contract requiring the awardee to comply with disposing of waste in a Lyon County Landfill and the contract negotiation process.

Comm. Keller motioned to direct the Community Development Director to add the needed language to the RFP contract, not to amend the RFP.

Comm. Jacobson seconded.

Comm. Henderson stated the motion does not reflect the agenda item.

Comm Keller rescinded her previous motion.

Comm. Jacobson rescinded his second.

Comm. Henderson made a motion to direct the Community Development Director, Andrew Haskin to not amend the Solid Waste Disposal Franchise RFP.

Comm. Jacobson seconded

Comm. Gray asked for public participation, there was none, and the motion passed 5-0.

17.b. For Possible Action: Discussion and provide direction to the County Manager and Community Development Director on the options allowed for the development of "tiny house" regulations as required under Senate Bill 150 of the 2021 regular State Legislative Session.
-Tiny Homes Agenda Summary

Community Development Director, Andrew Haskin gave a summary of Senate Bill 150. He explained the four types of "Tiny House" construction and the three allowable use options the Bill highlights.

Types of Construction

- Stick-built
- Modular
- Manufactured/Made-To–Order
- Recreational Park Trailers

Allowable Use Options

- Tiny Home Parks
- Tiny Homes as Accessory Dwellings
- Tiny Homes as Single Family Residences

Andrew explained the required zoning and building standards for each option. Staff is recommending the Accessory Dwelling option.

Comm. Henderson asked if the current rules and standards allow for a 400 sq. ft. Accessory Dwelling. Andrew Haskin replied under the current design criteria and building standards it does not allow for a 400 sq. ft. Accessory Dwelling.

The Commissioners had other questions regarding the requirements of hooking up to municipal water and sewer, if this would prohibit people from building a larger Accessory Dwelling and if the limit of Accessory Dwellings would continue to be one (1) per parcel.
Both Comm. Henderson and Keller expressed they are in favor for the Accessory Dwelling option.

Senior Planner, Rob Pyzel suggested if the Board is looking at allowing them as Single Family Residences staff would pose additional questions such as what zoning districts are you looking to allow them in.

In regard to an Accessory Dwelling option, do you want to amend the current standards that requires the Accessory Dwelling to reflect the same building material, color, roof pitch, roofing material, etc as the primary residence? Those are the kind of discussions that would help staff develop an ordinance.

Comm. Keller moved to direct the Community Development Director on the "Tiny House" regulations required under Senate Bill 150 of the 2021 State Legislative Session to allow "Tiny House" as an Accessory Dwelling use in the AG, Resource, Residential, Commercial-Mixed Use and Employment zoning districts.

Comm. Henderson seconded.

Comm. Gray asked for public participation-

Gina Lee asked if current standards require the Accessory Dwelling to mirror the primary residence. Andrew Haskin responded it does.

The motion passed 5-0.

18. Utilities

18.a. For Possible Action: To approve a no-cost Change Order with Resource Development Company for the Upper Dayton Tank Rehabilitation Project, which extends the contract time to completion until May 17, 2022, so that the exterior paint coating will be applied during weather conditions that are in accordance with the paint manufacturer's recommendations (David Bruketta).

Utilities Director David Bruketta summarized the request for the no-cost Change Order.

Comm. Keller moved to approve the no-cost Change Order as presented.

Comm. Jacobson seconded.

Comm. Gray asked for public participation, there was none, and the motion passed 5-0.

18.b. For Presentation Only: Utilities Department project status update from the Utilities Engineer (Kishora Panda).
-Utilities project report for January 2022

Projects In Design
1) **Rolling A Wastewater Treatment Facility Phase 4 Expansion**
2) **Aspen Creek Rapid Infiltration Basins (RIBs)**

Projects In Construction
1) **Sewer Lift Station 2 Replacement**
2) **Hwy 50 Water Line Replacement - Phase 1A**
3) **Upper and Lower Dayton Tank Rehabilitation**
4) **Eldorado Pressure Reducing Valve (PRV) Relocation**

Projects Completed (Last 3 Months)
1) **Willow Creek Lift Station Liner Rehabilitation**

Utilities Engineer, Kishora Panda summarized the Utilities project Report for January 2022

Comm. Gray had a question about the work change order for the rolling A Wastewater Treatment Facility. Kishora Panda responded it was for the RIB due to change in design.

19. Agenda Requests

Comm. Jacobson requested contacting the City of Fernley to do a presentation regarding the canal litigation and possible effects it may have on Fernley.

Comm. Keller requested the following agenda items:
Presentation on the Fernley canal- **For Possible Discussion**
To review the Solid Waste Disposal Franchise RFP contract language.
Discussion on infrastructure bills regarding roads, damns, etc. across Lyon County

Comm. Gray requested the following agenda items:
An update on the Mound House Community Center- properties donated to Lyon County
Lands Bill update-**Presentation**
Dayton 2nd Bridge, formally designate a location. **For Possible Action**
Update on the engineering, rights of ways, etc.- **For Possible Action**
Discussion non ARPA requests-

Comm. Henderson requested the following agenda items:
Discussion, review and update on the Dayton Bridge, connecting road ways, funding, Congressional earmark, etc.
Discussion on possibly using Lyon County BDR for the 2023 Legislative Session

Comm. Hockaday requested the following agenda item:
Review of proposed road improvements and cost.

20. Commissioner Comments

Comm. Henderson said his sister had recently been in the hospital and is out and doing well.

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

There was no closed session.

22. Public Participation

There were none.

23. Adjourn

Comm. Gray adjourned the meeting.

LYON COUNTY BOARD OF COMMISSIONERS

KEN GRAY, Chairman

ATTEST

NIKKI BRYAN, Lyon County Clerk/Treasurer

Lyon County Board of County Commissioners Agenda Summary

Meeting Date: December 7, 2023

Agenda Item Number:
15.a

Subject:
For Possible Action: Convert two temporary Work Crew Coordinator positions in Juvenile Probation into two part-time positions at 15 hours per week and set the salary range for the Work Crew Coordinator position at the A2 pay range.

Summary:
Juvenile Probation currently utilizes temporary staffing for their work crew coordinator positions. These positions have been difficult to fill, so this item is being requested to change two temporary positions into part-time positions and increase the pay from a flat hourly rate of $16.64 per hour to the A2 pay range, which is $19.7338 to $31.5711 per hour. With a pay increase, these positions would still be within the budgeted amount for these positions.

Financial Department Comments:
This will increase the hourly rate, but will stay within budget for the position.

Approved As To Legal Form:

County Manager Comments:

Recommendation:
Convert two temporary Work Crew Coordinator positions in Juvenile Probation into two part-time positions at 15 hours per week and set the salary range for the Work Crew Coordinator position at the A2 pay range.

ATTACHMENTS

-

Lyon County Board of County Commissioners Agenda Summary

Meeting Date: December 7, 2023

Agenda Item Number:
15.b

Subject:
For Possible Action: Consider estimated costs for a full remodel of the Mound House Community Center and determine whether to allocate additional funding or to reduce the scope and funding for the project.

Summary:
The remodel of the Mound House Community Center has been estimated to cost between $560,000 to $600,000. The Board has previously allocated $300,000 towards this project from American Rescue Plan Act (ARPA) funding, which will only cover approximately half of the costs.

Staff has looked at a number of options to reduce the costs and the possibility for a smaller project with County staffing. Nonstructural remodeling of the existing meeting space would be the only option that would stay within the budget.

Financial Department Comments:
From a fiscal standpoint, I recommend reducing the remodel to the existing meeting space and reallocating the remaining funding to the Fernley Justice Court Expansion.

Approved As To Legal Form:

County Manager Comments:

Recommendation:

ATTACHMENTS

- Mound House Community Center Remodel - Revised Budget Narrative

Revised Budget Narrative

Lyon County
Mound House Community Center

July 24, 2023

Paul Cavin Architect LLC

1575 Delucchi Lane, Suite 120 • Reno • Nevada • 89502 • mobile: 775-842-0261 • office: 775-284-7083
paul@paulcavindesign.com • www.paulcavindesign.com

EXECUTIVE SUMMARY

The intent of this Budget Narrative is to help Lyon County define a scope of construction for the proposed budget to convert an existing Fire Station for use as a Community Center.

The existing facility is located at 56 Red Rock Road (APS 016-233-06) in Mound House, Nevada. It is a 4000 square foot metal building.

SCOPE OF CONSTRUCTION

The following improvements are proposed for conversion to a Community Center use.

1. Replace the front apparatus doors with glazing.
2. Construct a freestanding entrance canopy.
3. Furr and finish the front portion of the of the apparatus bay to meet current insulation standards, create a meeting room and separate the water main and stand pipes from the meeting room.
4. Upgrade the toilet rooms to meet ADA requirements.
5. Provide a new lay-in ceiling.
6. Flooring in the new area will be sealed concrete.
7. The office will be converted to a housekeeping closet with a new mop sink.
8. A new drinking fountain will be added.
9. Install an upgraded HVAC system.
10. Upgraded HVAC system.
11. Upgraded lighting.

Exclusions / Assumptions:

1. The existing restroom locations will not change.
2. The exterior building finish will not change.
3. Abatement and/or hazardous materials will not be required.
4. A new electrical service will not be required.
5. Window coverings will not be in the scope of this project.
6. Site improvements will be minimal.
7. Fixtures, Furniture and Equipment (FF&E) are not included.

CHANGES THIS REVISION

The following is an overview of changes that are made in this revision.

1. Originally, we were looking at furring the exterior walls without creating any new interior spaces.
2. The new concept would require less exterior furring, but additional walls and doors.
3. The meeting room and circulation now have lay-in ceiling rather than originally assumed painted / exposed structure.
4. An entry canopy structure is added rather than an interior vestibule.
5. The kitchen casework is being replaced.

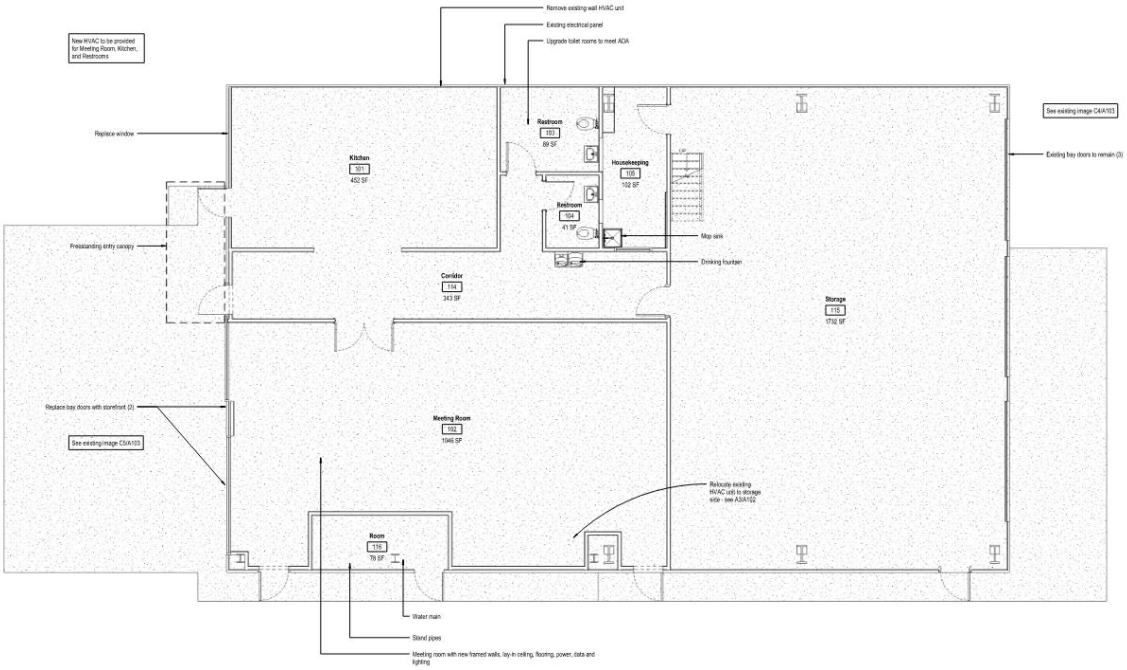
ROUGH ORDER OF MAGNITUDE

	Quantity	Unit	Cost/Unit	Line Total	Subtotals
Construction					
Site Improvements	1	LS	$25,000.00	25,000.00	
Architectural Upgrades	1	LS	$165,135.00	165,135.00	
(see breakdown)					
HVAC / Plumbing	1	LS	$45,000.00	45,000.00	
Electrical / Telecom	1	LS	$50,000.00	50,000.00	
				Subtotal Construction	**285,135.00**
General Requirements					
Contractor General Conditions	4	MO	$15,000.00	60,000.00	
				Subtotal General Requirements	60,000.00
Subtotal					**345,135.00**
Contractor Insurance and Bonds	3.0%	of construction			10,354.05
Subtotal					**355,489.05**
Contractor Overhead and Profit	10.0%	of construction			35,548.91
Subtotal					**391,037.96**
Construction / Design Contingency		10.0%			39,103.80
Sub-Total (Construction Costs Only)					**$430,141.75**
Design Costs		10.0%			43,014.18
(architectural, mechanical/plumbing, electrical/telecom)					
Subtotal					**473,155.93**
Soft Costs		3.0%			12,904.25
(plan review/permitting, fees, testing, etc.)					
Subtotal					**486,060.18**
Project Contingency		15.0%			72,909.03
Estimated Total Project Costs					**558,969.20**
Cost Per Square Foot				4,074	$137.20

The Rough Order of Magnitude is a good faith, preliminary estimate of probable construction costs. It is the Architects and/or Engineers best judgement as professionals in the design field familiar with this construction type. Please note that the design professionals do not have control over market conditions, construction costs, legislation and laws, material availability, and/or construction methods and do not guarantee or warrant that proposals, bids, or actual construction costs will not vary from the Rough Order of Magnitude.

ARCHITECTURAL UPGRADE BREAKDOWN

	Quantity	Unit	Cost/Unit	Line Total	Subtotals
Demolition	1	LS	$10,000.00	10,000.00	
Freestanding Canopy	1	LS	$10,000.00	10,000.00	
Kitchen Casework	1	LS	$18,000.00	18,000.00	
Acoustic Ceiling	1,390	SF	$13.00	18,070.00	
Doors	6	EA	$1,200.00	7,200.00	
Door Hardware	9	EA	$2,250.00	20,250.00	
Glazing	270	SF	$90.00	24,300.00	
Sealed Concrete	1,390	SF	$5.00	6,950.00	
Resilient Base	330	LF	$6.00	1,980.00	
Interior Painting and Prep	1	LS	$10,000.00	10,000.00	
Framed Gypsum Board Wall	1,175	SF	$25.00	29,375.00	
Fire Extinguisher and Cabinet	2	EA	$255.00	510.00	
Restroom Improvements	1	LS	$5,000.00	5,000.00	
Miscelaneous Architectural	1	LS	$3,500.00	3,500.00	
				Subtotal Architectural	**$165,135**



Lyon County Board of County Commissioners Agenda Summary

Meeting Date: December 7, 2023

Agenda Item Number:
15.c

Subject:
For Possible Action: Approve a reallocation of American Rescue Plan Act (ARPA) funding between the existing projects to fund the Fernley Justice Court Expansion and Remodel.

Summary:
The Board has previously allocated the available ARPA funding. Since that allocation, some of the projects are completed with some funding still available to reallocate to other projects. The Fernley Justice Court expansion and remodel is estimated to cost approximately $1,000,000 more than is currently allocated.

Financial Department Comments:
I recommend that available funding be reallocated to the Fernley Justice Court project.

Approved As To Legal Form:

County Manager Comments:

Recommendation:
Approve a reallocation of American Rescue Plan Act (ARPA) funding between the existing projects to fund the Fernley Justice Court Expansion and Remodel.

ATTACHMENTS
- ARPA Allocations as of September 30, 2023

Lyon County
American Rescue Plan Act
Status of Allocations as of September 30, 2023

Entity	Department	Purpose	Allocated Amount	Amount Spent	Amount Unspent	Available to Reallocate	Status
Lyon County	All	Personal Protective Equipment and Supplies	$ 47,500.00	$ 7,150.75	$ 40,349.25	$ 40,349.25	Completed.
Lyon County	Jail	Prevention in Congregate Settings	47,500.00	6,608.62	40,891.38	$ 40,891.38	Completed.
Lyon County	All	Covid Testing	5,000.00	892.27	4,107.73	$ 4,107.73	Completed.
Lyon County	Human Services	Indigent Assistance, Child Care Assistance, Behavioral Health	350,000.00	242,254.35	107,745.65		In Process.
Lyon County	Parks	Repairs & Maintenance	52,936.00	52,936.00	-		Completed.
Lyon County	Dayton Sewer	Rolling A	900,000.00	-	900,000.00		In Process.
Silver Springs GID	Sewer	Effluent Disposal	300,000.00	12,691.25	287,308.75		In Process.
Willowcreek GID	Sewer	Aerators and Electrical	50,000.00	19,120.07	30,879.93		In Process.
Central Lyon County Fire Protection District		2 Ambulances	300,000.00	-	300,000.00		In Process.
Mason Valley Fire Protection District		1 Ambulance	200,000.00	-	200,000.00		In Process.
Smith Valley Fire Protection District		1 Ambulance	200,000.00	-	200,000.00		In Process.
North Lyon County Fire Protection District		1 Ambulance	300,000.00	-	300,000.00		In Process.
Lyon County	Sheriff's Office	1 Drone	34,336.97	34,336.97	-		Completed.
Lyon County	Comptroller	Fernley Justice Court Expansion	6,000,000.00	131,089.10	5,868,910.90		Bid Documents in Process.
Lyon County	Parks/Facilities	Maintenance on Tennis Court at Dressler Park	70,000.00	67,104.00	2,896.00		In Process.
Lyon County	Roads	Miller Lane and Aiazzi Lane Intersection Engineering	120,000.00	36,513.00	83,487.00		In Process.
Lyon County	Roads	Ramsey Weeks Road Engineering	400,000.00	79,858.14	320,141.86	$ 309,141.86	Almost Completed.
Lyon County	Recorder	Records Restoration Project	30,000.00	30,000.00	-		Completed.
Lyon County	Commissioners	Mound House Community Center Architectural and Engineering	300,000.00	935.10	299,064.90		In Process.
City of Fernley		Community Response & Resource Center	300,000.00	-	300,000.00		In Conceptual Design.
Boys & Girls Club of Mason Valley		E.L. Wiegand Early Learning Center	129,200.00	129,200.00	-		Completed.
Dayton Valley Conservation District		Carson River Bank Stabilization and Channel Maintenance	150,000.00	-	150,000.00		Engineering in Progress.
Lyon County	Fair & Rodeo Board	Replacement Asphalt	243,356.00	241,397.52	1,958.48	$ 1,958.48	Completed.
Lyon County	Fair & Rodeo Board	Concrete Slab for Sani-Hut Placements	11,000.00	11,000.00	-		Completed.
Lyon County	Fair & Rodeo Board	New Bucking Chutes and Back Pens	136,000.00	101,219.04	34,780.96	$ 34,780.96	Completed.
Silver Springs Mutual Water Company		One Generator	205,000.00	125,795.24	79,204.76	$ 79,204.76	Completed.
Lyon County		Contingency	288,814.03	-	288,814.03	$ 288,814.03	
		Total Requests	$ 11,170,643.00	$ 1,330,101.42	$ 9,840,541.58	$ 799,248.45	

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Lyon County Board of County Commissioners Agenda Summary

Meeting Date: December 7, 2023

Agenda Item Number:
15.d

Subject:
For Possible Action: Approve revisions to the Comprehensive Safety Policies and Procedures.

Summary:
The Safety Committee has completed its review of the Comprehensive Safety Policy and Procedures and is recommending some minor changes for the Board to approve.

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:
Approve revisions to the Comprehensive Safety Policies and Procedures.

ATTACHMENTS

- Lyon County Comprehensive Safety Policies and Procedures



Lyon County Comprehensive Safety Policies and Procedures

Lyon County's Comprehensive Safety Program
Table of Contents

Section 1-Written Workplace Health and Safety Program

- 1.01-General Introduction
- 1.02-Hazard Identification, Analysis and control
- 1.03-Training Structure
- 1.04-Record keeping
- 1.05-Enforcement
- 1.06-Health and Safety Committee
- 1.07-Code of Safe Rules

Section 2-Hazardous Energy Control Program "Lockout/Tagout"

- 2.01-Purpose
- 2.02-Energy Control (Lockout/Tagout) Scope
- 2.03-Authorized Employee
- 2.04-Affected Employee
- 2.05-Methods and Devices at a glance
- 2.06-Lockout/Tagout Devices and Rules
- 2.07-Basic Rules for Using Lockout/Tagout Procedure
- 2.08-Communication of Lockout/Tagout Activities
- 2.09-Procedures Involving More Than One Person
- 2.10-Shift Change Procedures
- 2.11-Emergency Lock Removal Procedures
- 2.12-Exceptions
- 2.13-Safeguards When Lockout/Tagout is Not Mandatory
- 2.14-Contractors
- 2.15-Training
- 2.16-Frequency of Lockout/Tagout Training
- 2.17-Record Keeping for Training
- 2.18-Compliance Violations
- 2.19-Program Effectiveness
- 2.20-Hazard Analysis

Section 3-Confined Space Entry Program

- 3.01-General Introduction
- 3.02-Definitions
- 3.03-Permit System
- 3.04-Permit for Entry into Confined Space
- 3.05-Rescue Team

3.06-Training
3.07-Entrant, Attendant, & Individual Authorizing or Entry Supervisor
3.08-Equipment
3.09-Confined Space Entry Permit Form

Table of Contents Cont.

Section 4-Hazard Communication Program
4.01- Purpose
4.02-Responsibility
4.03-The Program
4.04-Hazardous Chemical Classification
4.05-Labeling and Pictograms
4.06-Safety Data Sheets (SDS)
4.07-Training Program

Section 5-Blood Born Pathogens
5.01-The Program
5.02-Maintaining the Plan
5.03-Required Training
5.04-Training Schedule
5.05-Vaccination
5.06-Time Period
5.07-Specific Plan

Section 6-Personal Protective Equipment
6.01-General Requirements
6.02-Eye and Face Protection
6.03-Respiratory Protection
6.04-Hearing Protection
6.05-Fall Protection
6.06-Head Protection
6.07-Hand Protection
6.08-Foot Protection

Section 7-Hot Work Program and Permit
7.01-Purpose
7.02-Regulatory Authority
7.03-Organizational Assignments/Responsibilities
7.04-Compliance
7.05-Permissible Area
7.06-Fire Watch
7.07-Precautions
7.08-Contractors and Vendors
7.09-The Hot Work Permit

Table of Contents Cont.

Section 8-Compressed Gasses
- 8.01-Introduction
- 8.02-Refillable and Non-refillable Gas Cylinders
- 8.03-General Requirements
- 8.04-Moving and Transporting Cylinders
- 8.05-Storing Cylinders
- 8.06-General Use Precautions
- 8.07-Utilizing Compressed Gasses
- 8.08-Special Precautions for Using Flammable Gasses
- 8.09-Special Precautions for Using Oxygen and Oxidizing Gasses
- 8.10- Special Precautions for Using Corrosive Gasses
- 8.11-Gas Categories
- 8.12-Characteristics of Specialty Gasses

Section 9-Contractor Safety
- 9.01-Purpose
- 9.02-Contractor Responsibilities
- 9.03-Project Manager/Dept. Safety Coordinator responsibilities
- 9.04-Safety Coordinators Responsibilities
- 9.05-References
- 9.06-Definitions
- 9.07-Forms

Section 10-Accident Investigation
- 10.01-Incident, Injury, Accident Flow Chart
- 10.02-Injury/Accident Investigation Form
- 10.03-Notice of Loss/Accident Form
- 10.04-Investigation Records

Section 11-Forms and Logs
- 11.01-Walk Through Inspections
- 11.02-New Employee Safety Orientation
- 11.03-OSHA form 300
- 11.04-OSHA form 300A
- 11.05-C-1 Incident/Injury Illness Reporting Form
- 11.06-C-3 Incident/Injury Illness Form Requiring Medical Attention

Section 12- Workplace Violence Program

12.01-Purpose
12.02-Procedures
12.03-Threats Will Not be Tolerated
12.04-Actions all Employees Can Take to Assist in a Threatening Situation
12.05-Training and Education

Section 13-Vehicle/Equipment Use Policy & Procedures
13.01- Policy Applications and Definitions
13.02- Operating Practices and Procedures
13.03- Maintenance and Repair
13.04- Accidents and Incident Reporting
13.05- Inspections and Requests
13.06- Failure to Observe Vehicle Use Policies

Section 14- Emergency Action Plan

Note: This plan is not included in this manual as it is not published for public viewing. Please see individual department Safety Coordinators or County Risk Manager.

Section: 1

Lyon County Written Workplace Health and Safety Program

1.01 General Introduction

Regulatory Requirements:

Requirements for establishing, implementing, and maintaining an effective Written Workplace Safety Program are found under the authority of the Nevada Administrative Code (NAC) 618.538, and should be developed in accordance with NRS 618.383 and NAC 618.540 and 618.542.

Mission Statement:

The health and safety of Lyon County employees is a key consideration in the operation of the County. Management and supervisory personnel will be accountable for the safety of those employees working for them and will be expected to enforce, conduct and maintain safe operations at all times. Management will also be responsible for establishing safe working conditions and proper attitudes towards safety and for promoting the health and safety of all associates.

Program Responsibility:

The County Risk Manager is responsible for this plan. He/she is responsible for all facets of this program and has full authority to make necessary decisions to ensure success of the safety program in the County.

The general duties and functional responsibilities for safety and health in the County for the different positions are described below. However, they are not necessarily limited to the items listed.

Individual safety programs (when applicable) exist pertinent to a particular topic and/or regulation. Each of these programs has a set of responsibilities assigned, which specifically address the requirements relevant to that particular safety program.

Specific duties of the Department **Directors** include, but are not necessarily limited to the following:

- Promote a safe and healthy culture throughout the department.
- Set the highest standard possible for safety and health practices.
- Ensure that the needed financial, material and personnel resources are provided to achieve the goals and objectives of the safety and health program.
- Review all health and safety considerations when purchasing and introducing new machines, operations, procedures or materials into the department.
- **Appoint an individual to serve as the department's health and safety coordinator** to provide support, training and adequate resources.
- Involve the department's safety coordinator in the planning, purchasing, installation and final inspection before any tool or piece of equipment is placed into operation.
- Personally review serious accidents and near misses to insure that all proper investigations are completed and corrective action is taken in a timely manner.
- Providing a system of recognition for successful safety performance.
- Ensure the department is in compliance with all applicable federal, state and local safety and health requirements.

- Enforce safety rules in accordance with the County's policies.
- Provide observations and feedback to the department safety coordinator and exchange information with County management regarding employees, and this program.

Specific duties of the Department **Safety Coordinator** include, but are not necessarily limited to the following:

- Ensure that the department's safety program is fully implemented and effective.
- Conduct regular ~~bi-weekly~~ safety meetings for all personnel in their department. ~~Include each section of Lyon County's Comprehensive Safety Program at least once a year.~~
- Ensuring that good housekeeping practices are maintained at all times.
- Ensure that each element of the program is implemented by each of the department supervisors.
- Ensure that all department supervisors comply with the provisions of the safety programs.
- Assisting individual supervisors to develop safety management skills and knowledge.
- Promote safety and health and serve as a resource to all staff.
- Maintain the facility's recordkeeping system for safety training records, and safety inspection records and ensure regular walkthrough inspections are performed
- Review serious accidents and near misses to insure that all proper investigations are completed.
- Ensure that each piece of equipment in his/her department is properly maintained.
- Issue work orders and written requests to address hazardous conditions in their area of responsibility and following up to ensure timely correction of the problem.

Specific duties of the County Risk Manager and/or Human Resources Director include, but are not necessarily limited to the following:

- Conduct evaluations of the County as necessary to ensure that the provisions of this written program are being effectively implemented and that it continues to be effective.
- Maintaining current knowledge concerning the legal requirements of different safety and health requirements, and making sure that it satisfies with federal, state and local safety regulations.
- Coordination of program requirements with County Safety Committee and *other employees* to develop and implement appropriate policies and practices.
- Coordinating reviews with the County Safety Committee and *other employees* to implement improvements to the program on an annual basis or as often as necessary.
- Work with the County Public Works department on special hazards or workplace design.
- Study the potential hazards of planned and proposed changes to County facility and operations and make appropriate recommendations.
- Human Resources will maintain OSHA 300 and 300A log forms.
- Serve as advisor on the County's Safety Committee.
- Ensuring that appropriate training has been provided to all employees.
- Review accident investigation reports and assist in conducting any investigation wherein an accident has resulted in serious injury or property damage.
- Maintaining overall responsibility for this program within the County.

Specific duties of County Employees (without regard to position) include, but are not necessarily limited to the following:

- Be an active participant in the safety and health program.
- Follow and perform all tasks in accordance with all instructions and training received as well as with the procedures outlined in this program.
- Attend safety and health related training sessions offered by the County.
- Attend annual training sessions within their department on Lyon County's Comprehensive Safety Program.
- Inform their Supervisor and/or the department safety coordinator of any hazards that they feel are not adequately addressed, and of any other concerns that they have regarding this program.
- Report all accidents, or near misses no matter how small they are to their supervisors.

Preparation and Availability of this Safety Program:

This Written Workplace Safety Program has been prepared in accordance with the regulatory requirement.

This written program will be maintained by each County department and the County Manager and made available to the representatives of the Nevada Department of Business and Industry, Division of Industrial Relations- Occupational Safety and Health Section (Consultation and/or Enforcement) and other interested parties upon request, during normal office hours.

Also maintained by each County department and Risk Manager are copies of employee training records, as well as any other safety related information pertinent to each department. Training records will be updated as new employees are trained, and as existing employees receive refresher training.

Revisions to the Program:

This program will be reviewed as necessary, and updated accordingly whenever:

- Applicable regulations are revised.
- Program responsibility changes.
- Whenever new or modified tasks and procedures are implemented which affect employee exposure to hazards.
- After regular evaluations of the workplace for hazards, which indicate that current positions or new functional positions require special procedures.
- Required by the Nevada Department of Business and Industry, Division of Industrial Relations- Occupational Safety and Health Section (Consultation and/or Enforcement) after a review of the program.

1.02 Hazard Identification, Analysis and Control

Hazard Identification:

Periodic inspections consist of identification and evaluation of workplace hazards utilizing applicable safety walkthrough inspection checklists, and any other effective methods to identify and evaluate workplace hazards.

Periodic inspections to identify and evaluate workplace hazards shall be performed by a competent observer(s) appointed by department supervisors or by qualified members of the County's Safety Committee.

The standard practice of this County is to conduct regular departmental inspections (performed by department employees assigned to the task by supervisor), in collaboration with the Safety Coordinator in order to identify if any sources or hazards are present, or are likely to be present. Written documentation will be completed after each periodic inspection takes place. Deficiencies in the system will be addressed/corrected and documented accordingly with the inspection documentation.

The County safety committee will perform an assessment of the safety and health program of the County as necessary. This audit program is designed to ensure that Lyon County is in compliance with all applicable federal, state and local safety and health regulations as well as with those requirements set by the County.

In addition, periodic inspections will be conducted whenever:

- New substances, processes, procedures or equipment, which present potential new hazards, are introduced into the workplace.
- New previously unidentified hazards are recognized.
- Significant occupational injuries and illnesses occur.
- When we hire and/or reassign permanent or intermittent workers to processes, operations, or tasks for which a hazard evaluation has not been previously conducted.
- Workplace conditions warrant an inspection.

Lyon County maintains separate safety programs designed to address the issues associated with the use of personal protective equipment based on hazard assessments including the use of hearing protection, respiratory protection, etc.

Hazard Analysis:

Techniques used to analyze hazards identified as explained in the previous section will consist of the following means:

- Performing a job safety analysis (JSA) for each department and/or job description when necessary.
- The use of area and personal sampling methods.
- Performing safety walkthrough inspections for each facility.
- A periodic review of accident investigation reports.
- Trend analysis of the OSHA 300 and 300A logs.

Hazard Correction and Control:

Unsafe or unhealthy work conditions, practices or procedures shall be corrected in a timely manner based on the severity of the hazards. Hazards shall be corrected according to the following procedures:

- When observed or discovered.
- When an imminent hazard exists which cannot be immediately abated without endangering employee(s) and/or property, we will remove all exposed workers from the area except those necessary to correct the existing condition. Workers necessary to correct the hazardous condition shall be provided with the necessary protection; and
- All such actions taken and dates they are completed shall be documented on the appropriate forms.

Consideration will be given to the feasibility of elimination and/or reducing occupational hazards by means of engineering, administrative and/or training controls.

- *Engineering Controls*- There are numerous engineered safeguards throughout the County used to protect employees and prevent exposure to hazards. Examples of engineering controls are machine guards, safety controls, isolation of hazardous areas, monitoring devices, etc. Specific engineering controls are addressed in other County safety programs and in equipment and process procedures.
- *Administrative Controls*- These controls involve the use of procedures, assessments, inspection, records to monitor and ensure safe practices and environments are maintained. Other administrative controls are in place to identify new hazards and implement corrective action. Examples of administrative controls are periodic inspection equipment operation and maintenance procedures, hazard analysis, selection and assignment of personal protective equipment, etc.
- *Training Controls*- This aspect of hazard control is used to ensure employees are fully and adequately trained to safely perform all tasks to which they are assigned. No employee is to attempt any task without proper training in the equipment use, required personal protective equipment, specific hazards and their control and emergency procedures. Examples of training controls are initial new hire safety orientation, job specific safety training and periodic refresher training.

It will be the responsibility of the department Safety Coordinators to monitor the progress of all abatement procedures and ensure that all affected employees are apprised of the status.

1.03 Training Structure

General Training Structure and Instruction:

The department Safety Coordinators are responsible to ensure that *all* Lyon County employees receive training and instruction on general and job-specific safety and health practices. Training and instruction shall be provided as follows:

- To all new employees.
- To all employees given new job assignments for which training has not previously been provided.
- Whenever new substances, processes, procedures or equipment are introduced to the workplace and represent a new hazard.
- Whenever the department is made aware of a new or previously unrecognized hazard.
- To supervisors to familiarize them with the safety and health hazards to which workers under their immediate direction and control may be exposed.
- To all employees with respect to hazards specific to each employee's job assignment.

Lyon County's safety and health practices include, but are not necessarily limited to the following:

- Explanation of the County's Safety Program, emergency action plan/fire prevention plan, and measures for reporting any unsafe conditions, work practices, injuries and when additional instruction is needed.
- Use of appropriate clothing, including gloves, footwear, and personal protective equipment.
- Information about chemical hazards to which employees could be exposed and other hazard communication program information.
- Availability of toilet, hand-washing and drinking water facilities.
- Provisions for medical services and first aid including emergency procedures.

In addition, individual department supervisors will provide specific instructions to all employees regarding hazards unique to their job assignment, to the extent that such information was not already covered in other training.

All training will be conducted by individuals selected by management with the necessary knowledge, training, and experience to properly train employees in the respective subject matter. The person conducting the training must be knowledgeable in the subject, and should be familiar with the elements contained in the County's training program as it relates to the workplace.

Training will consist of a combination of the following:

- Formal Instruction (e.g., lecture, discussion, interactive computer learning, videotape, written material, etc.).
- Practical Training (demonstrations performed by the trainer and practical exercises performed by the trainee).

Upon completion of training, employees will be required by the County to demonstrate understanding of the information presented. This may be done by means of a written test and a skills demonstration (when applicable).

Training Program Content:

The training program provided to employees of Lyon County will contain at a minimum the elements/topics detailed in the regulation subject, the specific written safety program and any other safety sources, which will provide adequate instruction. All training sessions will include an opportunity for interactive questions and answers with the person conducting the training and the employees receiving the training.

Specific programs (e.g., Confined Spaces, Blood borne Pathogens, Hazardous Communication, Hot Work & Compressed Gas, Accident Investigation, PPE, etc.) contain specific training topics that must be covered. Each program should be individually consulted prior to the specific training.

Refresher Training:

Lyon County will re-train employees as mandated by each regulation on the specific subject or whenever any of the following situations occur:

- Inadequacies in the employee's knowledge regarding safety and health policies and procedures or whenever the employee has not retained the requisite understanding or skills.
- Any other situation arises in which retraining appears necessary.

List of Training Topics

The list below provides a quick look of the different training subjects provided to employees of Lyon County. This list is by no means all-inclusive, but reflects the most common topics covered during initial and regular training sessions. Other training topics will be discussed as deemed necessary by the program administrator. The training topics are:

- Lyon County's Comprehensive Safety Policies and Procedures
- Confined spaces.
- Good housekeeping, fire prevention, safe practices for operating any type of County equipment.
- Safe procedures for cleaning, repairing, servicing and adjusting equipment and machinery.
- Safe access to working areas.
- Protection from falls.
- Electrical hazards, including working around high voltage lines.
- Crane operations.
- Contractor Safety
- Proper use of powered tools.
- Guarding of belts and pulleys, gears and sprockets, and conveyor nip points.
- Machine, machine parts, and prime movers guarding.
- Lockout/tagout procedures.
- Materials handling.
- Landing and loading areas, including release of rigging, landing layout, moving vehicles and equipment, and truck locating, loading and wrapping.
- Fall protection from elevated locations.
- Use of elevated platforms, including telescoping lifts, lift trucks, and scissor lifts.

- Driver safety.
- Slips, falls, and back injuries.
- Ergonomic hazards, including proper lifting techniques and working on ladders or in a stooped posture for prolonged periods at one time.
- Personal protective equipment.
- Respiratory Protection Equipment.
- Hazardous chemical exposures.
- Hazard communication.
- Physical hazards, such as heat/cold stress, noise, and ionizing and non-ionizing radiation.
- Blood borne pathogens and other biological hazards.
- Vehicle and Equipment use Policy
- Other job-specific hazards.

1.04 Recordkeeping

Lyon County will retain written information regarding different aspects of the overall safety and health program and this Written Workplace Safety Program. This information will facilitate key employee involvement in the County's safety program as well as to help the program administrators in auditing the adequacy of the different safety programs. Similarly, it will provide a record for compliance determinations by OSHA.

Also maintained by the County Risk Manager are copies of any related safety documentation for all of the appropriate safety programs including: Confined Space, Bloodborne Pathogens, Hazardous Communication, SDS, accident investigation, etc.

Training Records:

Training records will be completed for each employee upon completion of the training session and will be actively maintained for a minimum of three years from the date on which the training occurred. After this time, all records are filed and/or stored accordingly.

The training records include the following information:

- The dates of the training sessions.
- The contents or a summary of the training sessions.
- The names and qualifications of persons conducting the training.
- The names of all persons attending the training sessions.

Hazard Assessment Inspection Records (Walkthrough Inspections):

Hazard assessment inspection records, including the person(s) conducting the inspection, the unsafe conditions, work practices that have been identified and the action taken to correct the identified unsafe conditions and work practices, are recorded on a hazard assessment and correction form. As

explained above, hazard assessment records will be actively maintained for a minimum of three years from the date on which the inspection occurred. After this time, all records are filed and/or stored accordingly.

1.05 Enforcement

Enforcement of Safety Rules:

Lyon County is fully committed to provide for the safety, health, and well being of its employees. Therefore, all employees will be fully informed, trained and certified according to the guidelines set in the County's safety program. Each employee is expected to fully comply with all safety rules and to exercise caution in all activities and work settings.

Violations of safety rules will be considered a very serious matter. Employees who violate County safety guidelines and standards are subject to disciplinary action, up to and including termination of employment. Employees must immediately report any unsafe condition to the appropriate supervisor(s).

Depending on the severity of the matter, violations of safety guidelines and standards will be addressed in the following manner:

A. First Incident/Occurrence: Verbal Warning.
B. Second Incident/Occurrence: Written Reprimand
C. Third Incident/Occurrence: Written Reprimand with suspension.
D. Fourth Incident/Occurrence: Termination.

All occurrences and counseling with an employee will be documented by the supervisor and maintained in the employee's personal file. For additional information refer to the County's Personnel Policy Manual and Collective Bargaining Agreements.

As previously indicated, management is not limited or required to address disciplinary action against an employee following exactly the occurrence order previously explained. Depending on the severity of the violation, an employee can be terminated immediately, even if that was the employee's first offense.

Temporary Service Agencies Employees and Contractors:

All temporary service agency employees and contractors are expected to follow normal safe practices and to obey all of the safety procedures established onsite. Lyon County has the authority at any given time to halt any work performed by any outside contractor whenever the situation presents a hazard which is likely to cause possible death or serious physical harm.

1.06 Safety Committee

In addition to the established regulations, it is the policy of Lyon County to establish a Safety Committee for the following purposes:

- To increase and maintain the interest of employees in health and safety issues.
- To convince managers, supervisors and employees through awareness and training activities that they are primarily responsible for the prevention of workplace accidents.
- To help make health and safety activities an integral part of the organization's operating procedures, culture and programs.
- To provide an opportunity for the free discussion of health and safety problems and possible solutions.
- To inform and educate employees and supervisors about health and safety issues, new standards, research findings, etc.
- To help reduce the risk of workplace injuries and illnesses.

To help insure compliance with federal, state and local safety and health standards.

Safety Committee Mission Statement:

The mission of the Safety Committee is to develop and promote a healthy and safe environment for all employees and visitors in County facilities through the involvement of all individuals with regards to education, communication and safe work practices.

Safety Committee Activities:

The health and safety activities of the committee will include, but are not limited to, the following:

- Identify unsafe work practices and conditions and suggest appropriate remedies.
- Review accident/incident reports. Types of accidents, causes and trends shall be identified and appropriate corrective action suggested.
- Obtain and analyze available data on past injuries and illnesses and identify trends and suggest appropriate corrective actions.
- Development and implementation of effective health and safety awareness programs.
- Encourage feedback from all individuals with regard to health and safety related ideas, problems, and solutions.
- Assist in communicating the purpose, activities and accomplishments of the committee to all employees.
- Provide support and serve as a resource in the development, implementation, and maintenance of Lyon County's Comprehensive Safety Policies and Procedures.
- Development of written programs and to ensure that the County is in compliance with the established OSHA health and safety regulations.
- Serve as an advisory body to management on health and safety issues.
- Providing suggestions and recommendations for resolution of health and safety concerns.

Department Director's Responsibilities

- Enforce all safety and health rules and procedures.
- Actively promote health and safety.

- Allow the time for committee representative participation in meetings and assigned responsibilities.
- Allocate the funds/resources necessary to implement safety and health committee activities.
- Lead by example in following all health and safety rules.
- Support committee decisions.
- Provide timely feedback to the committee.
- Perform the initial investigation of all injuries, incidents and near misses.

County Risk Manager's Responsibilities

- Actively promote health and safety.
- Act as communication liaison between County Commissioners and the committee.
- Facilitate the health and safety committee meetings.
- Coordinate the assignment of activities to committee members.
- Establish necessary deadlines based on member input.
- Follow-up on assigned responsibilities.
- Schedule and develop an agenda for meetings based on member input.
- Introduce new members.
- Ensure the effectiveness of the meeting by directing discussions to meet mission and objectives.
- Assist with the development of the agenda.
- Ensure the meeting minutes are recorded, completed, and distributed in a timely fashion.
- Ensure agenda with minutes is distributed to committee member's one week prior to each scheduled meeting.
- Direct a member to take and record attendance.
- Make arrangements for the meeting room.
- Distribute any correspondence and/or directives developed by the committee.
- Develop and maintain files of meetings and correspondence.

Human Resources Responsibility

- Actively promote health and safety.
- Serve in the capacity as a resource to the committee on health and safety issues.
- Review all accident investigation reports.

Committee Members Responsibilities

- Actively promote health and safety.
- Attend all health and safety meetings on time or arrange for an alternate to attend.
- Communicate committee activities to his/her department.
- Work on or assist with appointed projects.
- Bring safety or health concerns to committee meetings and/or to the attention of the affected employee's supervisor.
- Assist with the development of the agenda upon request.
- Serve as an example by following all safety rules and work practices.

Committee Meetings:

Meetings will be held quarterly (unless otherwise scheduled) at a specific time announced by the County Risk Manager.
Special meetings of the committee may be called by the County Risk Manager upon his/her initiative, or upon the request of at least five (5) members. The special meetings will be counted as regular meetings when being applied towards meeting commitments.

The minutes of the meeting will be given to each committee member and posted on bulletin boards throughout the County facilities.

A typical committee meeting should include:

- A review of unfinished items from the previous meeting(s) and/or activities.
- Discussion/review of safety inspection reports and the actions taken to correct observed hazards.
- Review of accident/incidents sustained since the previous meeting and a discussion of measures to prevent similar accidents and incidents.
- Review of the status of current action plans or training programs.
- Review of outstanding recommendations developed by outside loss control consultants, or by OSHA consultation/compliance inspectors.
- Discussion about activities related to future action plans and/or training programs.
- Discussion about special activities.
- Discussion about new business, future agenda items, projects and meeting dates.

1.07 Code of Safe Rules

Lyon County's Written Workplace Safety Program
Code of Safe Rules and Practices

Safety is a cooperative undertaking requiring participation by every employee. Failure by any employee to comply with the established health and safety regulations and procedures will be grounds for disciplinary action up to and including termination. Supervisors shall insist that employees observe all applicable federal, state, local as well as all County established safety regulations and practices and take action as is necessary to maintain compliance at all times.

The following list of safe rules is general in nature and by no means all-inclusive. For specific rules and/or questions regarding safety, please ask the department Safety Coordinator, the department Director and/or the County Risk and Human Resources Managers.

- Employees shall report all unsafe conditions and equipment to their Supervisors.
- Employees shall report all accidents, injuries and illnesses to their Supervisors and the Human Resources Manager immediately.

- Anyone known to be under the influence of intoxication liquor or drugs shall not be allowed on the job while in that condition.
- Horseplay, scuffling and other acts which tend to have an adverse influence on the safety or well being of the employees are prohibited.
- Means of egress shall be kept unblocked, well lighted and unlocked during work hours.
- In the event of fire, sound alarm and evacuate.
- Upon hearing fire alarm, stop work and proceed to the nearest clear exit. Assemble at the designated location.
- Only trained workers may attempt to respond to a fire of other emergency.
- Exit doors must comply with the fire safety regulations during business hours.
- Stairways should be kept clear of items that can be tripped over and all areas under stairways that are egress routes should not be used to store combustibles.
- Materials and equipment will not be stored against doors or exits, fire ladders or fire extinguisher stations.
- Aisles must be kept clear at all times.
- Work areas should be maintained in a neat, orderly manner. Trash and refuse are to be thrown in proper waste containers.
- All spills shall be wiped up promptly.
- Always use the proper lifting techniques. Never attempt to lift or push an object that is too heavy. Employees must seek assistance when help is needed to move a heavy object.
- Never stack material precariously on top of lockers, file cabinets or other relatively high places.
- When carrying material, caution should be exercised in watching for and avoiding obstructions, loose material or tripping hazards.
- Do not stack material in an unstable manner.
- Report exposed wiring and cords that are frayed or have deteriorated insulation so that they can be repaired/replaced promptly.
- Never use a metal ladder in an area where the ladder could come into contact with energized parts of equipment, fixtures or circuit conductors.
- Maintain sufficient access and working space around all electrical equipment to permit ready and safe operations and maintenance.
- Do not use any portable electrical tools and equipment that are not grounded or double insulated.
- All electrical equipment should be plugged into appropriate wall receptacles or into an extension of only one cord of similar size and capacity. Three-pronged plugs should be used to ensure continuity of ground.
- All cords running into walk areas must be taped down or inserted through rubber protectors to preclude them from becoming tripping hazards.
- Inspect motorized vehicles and other mechanized equipment daily or before use.
- Shut off engine, set brakes and block wheels prior to loading and unloading vehicles.
- Inspect pallets and their loads for integrity and stability before loading or moving.
- Do not store compressed gas cylinders in areas that are exposed to heat sources, electric arcs or high temperature lines.
- Do not use compressed air for cleaning unless the pressure is less then 30 psi.
- Identify contents of pipelines prior to initiating any work that affects the integrity of the pipe.

- Wear hearing protection in all areas identified as having high noise exposure.
- Appropriate eye protection must be worn when grinding.
- Do not use any faulty or worn hand or power tools.
- Guard floor openings by a cover, guardrail, or an equivalent form of protection.
- Do not enter into a confined space unless you have been trained in confined entry and follow County confined space entry procedures.
- Always keep flammable or toxic chemicals in closed containers when not in use.
- Do not eat in areas where hazardous chemicals are present.
- Be aware of the potential hazards involving various chemicals stored or used in the workplace. Always read the warning label and refer to the safety data sheets (SDS) when needed.
- Cleaning supplies must be stored away from edible items on kitchen shelves.
- Cleaning solvents and flammable liquids must be stored in appropriate containers.
- Solutions that may be poisonous or not intended for consumption should be kept in well-labeled containers.
- When working with a Video-Display-Terminal (VDT), have the chair and other equipment properly adjusted, positioned and arranged to minimize strain on all parts of the body.
- Never leave the lower desk cabinet drawers open that present a tripping hazard. Use care when opening and closing drawers to avoid pinching fingers.
- Do not open more than one upper drawer at a time, particularly the top two drawers on tall file cabinets.
- Appliances such as coffeepots and microwaves must be kept in working order and inspected for signs of wear, heat or fraying of cords.
- Fans used in work areas must be properly guarded. Guards must not allow fingers to be inserted through the mesh.

Section: 2

Lyon County Hazardous Energy Control Program "Lockout / Tagout"

2.01 Purpose

This program establishes the minimum requirements for the lockout of energy isolating devices whenever maintenance or servicing is done on machines or equipment. This procedure will be used to ensure that the machine or equipment is stopped, isolated from all potentially hazardous energy sources and locked out before county personnel perform any servicing or maintenance where the unexpected energization or start-up of the machine or equipment or release or stored energy could cause injury.

Examples of stored energy where Lockout/Tagout applies include:

- Electrical
- Mechanical
- Thermal, Steam
- Pneumatic
- Chemical, Acids & Caustics
- Explosives, Natural Gas
- Hydraulic
- Gravity
- Kinetic

Lockout is the preferred method of isolating machines or equipment from energy sources.

All Lyon County personnel are required to comply with the restrictions and limitations imposed upon them during the use of lockout. Authorized personnel are required to perform the lockout in accordance with this procedure. All Lyon County personnel, upon observing a machine or piece of equipment which is locked out to perform servicing or maintenance, will not attempt to start, energize or use that machine or equipment.

2.02 Energy Control (Lockout/Tagout) Scope

The Control of Hazardous Energy (Lockout/Tagout) Standard, CFR 1910.147, covers the servicing and maintenance of machines and equipment in which the unexpected energization or start up of the machines or equipment, or release of stored energy, could cause injury to personnel. This standard establishes minimum performance requirements for the control of such hazardous energy.

Lyon County must comply with the requirements of the Control of Hazardous Energy (Lockout/Tagout) Standard, CFR 1910.147.~~, including the need for a written energy control (lockout/tagout) procedure.~~

If you are an authorized or affected employee, you must be trained on the use of locks and/or tags to control hazardous energy. To ensure that before any Lyon County employee performs any servicing or maintenance on a machine or equipment where the unexpected energizing, start up or release of stored energy could occur and cause injury, the machine or equipment is isolated from the energy source and rendered inoperative.

Lyon County has established a program consisting of:

1. Energy control (lockout/tagout) procedure
2. Personnel training, and
3. Hazard Analysis

2.03 Authorized Employee

An authorized employee is someone who locks and/or tags out machines in order to perform servicing or maintenance on that machine. The following are authorized employees:

- All maintenance personnel
- All water and wastewater operators

2.04 Affected Employee

An affected employee is an employee whose job requires him/her to operate or use a machine or equipment on which servicing or maintenance is being performed under lockout or tagout, or whose job requires him/her to work in an area in which such servicing or maintenance is being performed. An affected employee becomes an authorized employee when that employee's duties include performing servicing or maintenance.

2.05 Methods and Devices at a Glance

The following methods and devices can be used to lockout and tagout hazardous energy sources:

1. Electrical
    a. Unplug machine and use an electrical plug lockout, or use a disconnect switch with padlocks, lockouts and tags;
    b. Ensure ALL power sources are locked and tagged out;
    c. Stored electrical energy must be bled to obtain zero energy state;

2. Pneumatic
    a. Release pressures to reach zero energy state;
    b. Use chains, energy isolation air valves, shut off valves, padlocks and lockouts to lockout energy source.
3. Hydraulic
    a. Release pressures to reach zero energy state;
    b. Use lockout valves, chains, padlocks and lockouts to lockout energy source.
4. Fluids and Gasses
    a. Recognize all hazards;
    b. Insert a blank or blind in the line;
    c. Use valve lockouts, chains, padlocks and lockouts at isolating sources.
5. Mechanical
    a. Release all stored mechanical energy, or block the energy. Be aware of gravity, springs, tension and other sources of energy that are not always obvious;
    b. Use blocks to restrain energy;

c. Padlocks, lockouts and tags should also be used to lockout and tagout mechanical energy.

2.06 Lockout/Tagout Devices and Rules

Specific lockout locks will be issued to each authorized employee.

1. Locks will be standardized, approved and supplied by the specific department coordinator.
2. Two keys will be given with the lock. The lockout originator must maintain the keys.
3. The making of duplicate keys is strictly PROHIBITED.
4. Locks will not be used for any other purpose than lockout.
5. Multiple lock adapters will be available for all jobs requiring more than one safety lock.
6. Tags will be used on locks when ~~personal locks are~~ installed on devices.
7. Tagging out equipment with just tags ~~will not be acceptable.~~ is acceptable when locks are not capable of being used on a device.

2.07 Basic Rules for Using Lockout/Tagout System Procedure

All equipment will be locked out/tagged out to protect against accidental or inadvertent operation when such operation could cause injury to personnel. Do not attempt to operate any switch, valve, or other energy isolating devices where it is locked/tagged out.

1. Pneumatic
   Before any work is performed on any piece or part of pneumatically powered equipment, the following procedure must be carried out:

   Pneumatic Shut Off
   a. A main air supply to the equipment or part that you are working on must be shut off. Some means of physically locking it out or ensuring that it will not be turned on must be employed.
   b. All pneumatic lines to the piece of equipment must be bled of all pressure. This will cause all pieces of the equipment to move to their lowest energy position.
   c. On all equipment on which you are working, check for any portion of the machine which may be under spring tension or compression. Follow procedures outlined in the general mechanical state portion of this policy.

2. Hydraulic, or Other Fluids
   Before any work is performed on any piece or part of hydraulically or other fluid powered equipment, the following procedures must be carried out:

   Hydraulic Shut Off
   a. All hydraulic or other fluid lines affecting the area under maintenance must be bled, drained, or purged to eliminate pressure, contents, or both.
   b. If necessary to eliminate buildup of residual pressure, tanks and reservoir may need to be drained.
   c. Valves controlling these lines must either be locked open or shut depending on their function or location.

d. On all equipment on which you are working, check for any portion of the machine which may be under spring tension or compression. Follow procedures outlined in general mechanical portion of this policy.

3. Elevators and Conveyors
Before any work is performed on an elevator or conveyor, the following procedures must be followed:

Stop all potential movement:
a. Whenever working on an elevator or conveyor belt, pulley, shaft, or any other part of it make sure that the belt itself is either clamped or chained into position.
b. If using clamps, a minimum of two must be used.
c. Check for any part in the elevator or conveyor that normally cycles through to a lower position and could drop. If there are any; block, chain, or clamp that portion into position.
d. On all equipment in which you are working, check for all sources of energy and follow general Lockout/Tagout procedures.

4. Spring Tension
a. Pieces, or areas of equipment that are under spring tension or compression must be safeguarded to prevent them from accidentally releasing.
b. Any piece under tension or compression must either be clamped, blocked, or chained into position.

5. Suspended Mechanisms
a. Any suspended mechanism, or part that must normally cycle through to a lower position and could drop must be:
    1. Lowered to its lowest position;
    2. Blocked, clamped, or chained into position.

6. Sharp, or Protruding Objects
a. You must be safeguarded from sharp or protruding objects that could either cut, tear, or gouge by
    1. Removing that piece, or
    2. Padding that area.
    Either of these can be done depending on whichever is most practical or convenient.

2.08 Communication of Lockout/Tagout Activities & General Sequence

It is the responsibility of the lockout originator to ensure that all affected employees are notified of the lockout/tagout activities. The following steps shall be taken:

1. Notify all affected employees that servicing or maintenance is required on a machine or equipment and that the machine or equipment must be shut down prior to lockout to perform the servicing or maintenance.

2. The authorized employee **shall refer to the machine-specific lockout procedure** to identify the type and magnitude of the energy that the machine or equipment utilizes, shall understand the hazards of the energy, and shall know the methods to control the energy.
3. Make a survey to locate and identify all isolating devices to be certain which switch(es), valve(s) or other energy isolating devices applies to the equipment to be locked or tagged out. More than one energy source (electrical, mechanical, or others) may be involved.
4. If the machine or equipment is operating, shut it down by the normal stopping procedure (depress stop button, open switch, close valve, etc.).
5. Perform the lockout/tagout as per the procedural steps outlined in the **machine-specific lockout/tagout manual.**

   The general sequence is as follows:

   a. Operate the switch, valve, or other energy isolating devices so that the equipment is isolated from its energy source(s). Stored energy (such as in springs, elevated machine members, rotating fly wheels, hydraulic systems, and air, gas , steam, or water pressure, etc.) must be dissipated or restrained by methods such as repositioning, blocking, bleeding down, etc. Type(s) of stored energy-methods to dissipate or restrain need to be listed.
   b. Lockout/Tagout the energy isolating devices with assigned individual lock(s) and tag(s) method(s) selected; i.e. locks, tags, additional safety measures, etc.
   c. After ensuring that no personnel are exposed and after checking to ensure all energy sources are disconnected, operate the pushbutton or other normal operating controls to make certain the equipment will not operate. CAUTION: Return operating controls to NEUTRAL or OFF position after the test.
   d. The equipment is now locked/tagged out.
   e. After the servicing and/or maintenance is complete and equipment is ready for normal production operations, check the area around the machines or equipment to ensure that no one is exposed.
   f. After all tools have been removed from the work area and machine or equipment, guardsing hasve been reinstalled and employees are in the clear, remove all Lockout/Tagout devices then notify all affected employees that the work has been completed, remove all Lockout/Tagout devices, then . Ooperate the energy isolating devices to restore energy to the machine or equipment.

2.09 Procedure Involving More Than One Person

If more than one individual is required to Lockout/Tagout equipment, each should place his/her own personal Lockout/Tagout device on the energy isolating devices. When an energy-isolating device cannot accept multiple locks/tags, a multiple Lockout/Tagout device may still be used. If the lockout is used, a single lock may be used to lockout the machine or equipment with the key being placed in a lockout box or cabinet which allows the use of multiple locks to secure it. Each authorized employee will then use his/her own lock to secure the box or cabinet. Authorized employees are responsible to remove his/her own lockout/tagout device from the box or cabinet when servicing and/or maintenance has been completed. Each person no longer needs to maintain his/her lockout protection- that person will remove his/her lock from the box or cabinet when servicing and/or maintenance is completed on that machine or equipment. Lockout can only handle one foreman lock, then locks out, puts key in

box then everyone adds lockout to box. Each employee must remove individual lock before foreman can remove his.

2.10 Shift Change Procedures

A reasonable effort must be made to first locate the authorized employee of the lockout/tagout. If the authorized employee of the lockout/tagout cannot be located, then locks may be removed under the direction of the employer. If it is necessary to forcibly remove the lock, this event must be documented and reported to the employer.~~If a lockout/tagout is in process, the employee relieving the employee who originated the lockout/tagout or the supervisor shall place his/her lockout device on the lockout point and the exiting originator shall than remove his/her lockout device. This shifts the responsibility of the lockout/tagout to the relieving employee or supervisor. The lockout/tagout originator is also responsible to communicate what service and maintenance has been performed on the equipment that was locked out.~~

2.11 Emergency Lock Removal Procedures

A reasonable effort must be made to first locate the originator of the lockout/tagout. If the originator of the lockout/tagout cannot be located, only the Maintenance Team Leader/Supervisor or the Operations Manager is authorized to remove the lock. If it is necessary to forcibly remove the lock, this event must be documented and reported to the Maintenance Team Leader and the Operations Manager.

2.12 Exceptions

The following exceptions do not require lockout/tagout of equipment:

- For maintenance employees working on electric equipment for which exposure to hazards is controlled by unplugging the equipment from the energy source and keeping the plug under the control of the employee conducting the servicing/maintenance.
- For minor tool changes or adjustments and routine and repetitive activities that are integral to the use of the equipment for production.
- Normal production activities in which lockout cannot be conducted because of the operation, or if the operation is routine, repetitive and integral to the use of the equipment for production, provided that the work is performed using alternative measures which provide effective protection. Other exceptions include the operator having complete control of the power cord and plug type of equipment.

2.13 Safeguards When Lockout/Tagout is Not Mandatory

When performing the routine tasks where lockout/tagout is not mandatory, operators are responsible to follow safe working practices:

- Do not remove or alter any safety guarding, safety switches or safety devices.

- Follow all other practices as detailed in the Lyon County Comprehensive Policies and Procedures.

2.14 Contractors

Whenever outside service personnel are to be engaged in activities covered by the scope and application of this policy, the person responsible for contracting the service is responsible to inform the contractor of Lyon County's approved lockout/tagout procedures. Contractors are responsible to understand our lockout/tagout procedures and follow those procedures when performing any service or maintenance.

2.15 Training

All employees are required to participate in annual lockout/tagout training provided by the safety trainer within their department if they have the potential to encounter a required lockout/tagout situation. A Lockout/Tagout will be required whenever performing maintenance or service work on machines or equipment.

Required Lockout/Tagout includes:

1. Maintenance or service work is defined as constructing, installing, setting-up, adjusting, inspecting, modifying and maintaining and/or servicing machines or equipment and making adjustments to the unexpected energization or start-up of the equipment or release of hazardous energy;
2. Before removal or bypassing any guard, or other safety device;
3. When an employee is required to place any part of the body into a "point of operation" or other danger zone that exists during a machine operation cycle.

2.16 Frequency of Lockout/Tagout Training

Training in Lockout/Tagout procedures will occur:

1. ~~On the first day of employment~~During employees New Hire Orientation, ~~-~~as an integral part of safety training on equipment new employee is expected to operate, or prior to job assignment by the trainer;
2. Before change in a job assignment;
3. All applicable employees on an annual basis;
4. If a safety audit reveals non-compliance;
5. If an injury occurs due to non-compliance;
6. Changes in the company's Lockout/Tagout program;
7. Modifications to equipment or machines which represent a new hazard.

2.17 Record Keeping for Training

The safety coordinator for each department or Human Resources will manage record keeping to ensure that all employees meet the training requirements. Each new or transferred affected employee and other employees whose work operations are or may be in the area shall be instructed in the purpose and use of the lockout or tagout procedure. Training records shall include:

- The instructor's name;
- Description of the training materials used;
- Record of individuals who have received the training;

2.18 Compliance Violations

For violations of lockout/tagout compliance policy, the County's disciplinary policy will be enforced. The degree of violation will determine degree of disciplinary action.

- Verbal warning
- Written warning
- Suspension without pay
- Termination of employment

2.19 Program Effectiveness

The safety coordinator for each department shall conduct monthly audits and the departments shall conduct monthly walk through inspections to ensure that lockout/tagout procedures are being performed as required. Department supervisors shall be responsible to investigate any injuries related to poor lockout/tagout procedures in their areas.

2.20 Hazard Analysis

The safety coordinators for each department shall be responsible to perform an annual hazard analysis on all required equipment within that department to ensure that all incoming equipment has lockout/tagout documentation.

Section 3:

Lyon County Confined Space Program

3.01 General Introduction

Scope:
To establish practices and procedures for the entry into and work within confined spaces.

Purpose:
To protect Lyon County employees from the hazards of oxygen deficient/enriched atmospheres, hazardous atmospheres, and any condition which is immediately dangerous to life and health.

Standards:
~~State of Nevada, Division of~~ US Department of Labor, Occupational Safety and Health, General Industrial Standards 29CFR1910.146.

3.02 Definitions

A. CONFINED SPACE is an enclosed space which:
   1. Is large enough and so configured that an employee or other persons can bodily enter and perform assigned work.
   2. Has limited or restricted means for entry or exit, such as (but not limited to) tanks, vessels, storage binds, boilers, ventilation or exhaust ducts, sewer wet wells and dry wells, underground utility vaults, tunnels, pipelines and open top spaces more than four feet deep.
   3. Is not designed for continuous occupancy.

B. PERMIT REQUIRED CONFINED SPACE is a confined space that has one or more of the following characteristics:
   1. Contains or has a potential to contain a hazardous atmosphere as follows:
      ~~a. Flammable gas vapor or mist in excess of 20 percent of its lower flammable limit.~~
      ~~b. An airborne combustible dust at concentrations that obscures vision at a distance of five feet.~~
      ~~c. An atmospheric oxygen concentration below 19.5 percent (oxygen deficient), or above 23 percent (oxygen enriched).~~
      ~~d. An atmospheric concentration in excess of Permissible Exposure Limit (PEL) found in State of Nevada, Division of Occupational Safety and Health Standard 29CFR1910.1000, or the threshold limit value (TLV) found in the current edition of~~

~~the "Threshold Limit Values and Biological Exposure Indices," published by the American Conference of Governmental Industrial Hygienists.~~

~~e.~~a. ~~Contains a material such as a liquid or finely divided solid with the potential to engulf the entrant.~~

2. Has an internal configuration such that an entrant could be trapped or asphyxiated by inwardly converging walls, or a floor which slopes downward and tapers to a smaller cross-section.
3. Contains any other recognized serious safety or health hazard

C. NON-PERMIT CONFINED SPACE is a confined space that does not contain or, with respect to atmospheric hazards, have the potential to contain any hazard capable of causing death or serious physical harm.

D. HAZARDOUS ATMOSPHERE means an atmosphere that may expose employees to the risk of death, incapacitation, impairment of ability to self-rescue (that is, escape unaided from a permit space), injury, or acute illness from one or more of the following causes:

a. Flammable gas vapor or mist in excess of 10% of its lower flammable limit.

b. An airborne combustible dust at concentrations that obscures vision at a distance of five feet.

c. An atmospheric oxygen concentration below 19.5% (oxygen deficient), or above 23.5% (oxygen enriched).

d. An atmospheric concentration in excess of Permissible Exposure Limit (PEL) found in State of Nevada, Division of Occupational Safety and Health Standard 29CFR1910.1000, or the threshold limit value (TLV) found in the current edition of the "Threshold Limit Values and Biological Exposure Indices," published by the American Conference of Governmental Industrial Hygienists.

e. Contains a material such as a liquid or finely divided solid with the potential to engulf the entrant.

~~D.~~E. ATTENDANT means an individual stationed outside the permit-required confined space who is trained and who monitors the authorized entrant inside the permit-required confined space.

~~E.~~F. AUTHORIZED ENTRANT means an individual who is authorized to enter into the permit-required confined space.

~~F.~~G. ENTRY SUPERVISOR is the person (such as a supervisor, foreman, or crew chief) responsible for determining if applicable entry conditions are present at a permit space where entry is planned, for authorizing entry and overseeing entry operations, and for terminating entry as required by the standard.

NOTE: An entry supervisor may also serve as the attendant or as the authorized entrant, as long as the person is trained and equipped as required by the standard for each roll he or she fills. Also, the duties of the entry supervisor may be passed from one individual to another during the course of the entry operation.

3.03 Permit System

A. Permits from the confined space permit station (located at the department level) will be used to ensure safe entry into those confined spaces identified in section 3.02.

B. Permits will be valid for only one shift. When work continues into the next shift, new permits will be issued.

C. Permit space will be posted, if at all possible with signs stating confined space permit required.

D. Upon completion of work, the original permit will be kept on file at the department level.

3.04 Permit For Entry Into Confined Space

A. When entry into a confined space will be solely for inspecting or checking of equipment, and the Authorized Entrant neither takes anything into the permit space nor takes any action which could cause a hazard, the following applies:
   1. The permit required by Section 3.03 will be completed.
   2. When the entry requires the Entrant to move through the space, additional testing for oxygen concentration, combustible gas or vapor, and potential toxic contaminants will be conducted.
   3. When circumstances indicate the conditions in the space are no longer acceptable, the Entrant will exit the space and the permit will be revoked.
   4. When the permit has been revoked, re-entry into the space can not be made until the space is restored to acceptable conditions.

B. When entry into a confined space is to perform maintenance work which would not generate a serious hazard, the following applies.
   1. The permit required by Section 3.03 will be completed.
   2. Continuous use of powered ventilators, and continuous atmospheric testing will be done throughout the entry.
   3. When circumstances indicate the conditions in the space are no longer acceptable, the Entrant will exit the space and the permit will be revoked.
   4. When the permit has been revoked, re-entry into the space can not be made until the space is restored to acceptable conditions.

3.05 Rescue Team

A. Outside rescue teams can be contacted by dialing 911. Lyon County does not have a confined space rescue team and will not engage in confined space rescue.

3.06 Training

A. Three levels of training will be required, as follows:
   1. Hazard Recognition:
      a. Know the hazards which may be present during entry.
      b. Recognize the signs and symptoms of exposure to the hazard.
      c. Understand the consequences of exposure to the hazard.
   2. Communication:

a. Maintain contact with the Attendant.
b. Notify the attendant when the entrant initiates self-evacuation.

3. Protective Equipment:
   a. Be aware of personal protective equipment needed for safe entry and exit.
   b. Be provided with the necessary personal protective equipment i.e.; (Gas monitor, harness, winch, fall break winch, hard hat).

3.07 Entrant, Attendant, Entry Supervisor Training And Responsibilities

A. Entrant self-rescue: Ensures that the authorized entrant exits the permit space when:
   1. The attendant orders evacuation.
   2. An automatic alarm is activated.
   3. The authorized entrant perceives he/she is in danger.

B. Attendant:
   1. Attendant will continuously maintain an accurate count of all persons in the space.
   2. Know and recognize potential permit space hazards, monitor activities inside and outside permit space to determine if it's safe for entrants to remain in the space.
   3. Communications: Attendant will notify entrant to initiate evacuation when:
      a. Attendant observes a condition which is not allowed in the entry permit.
      b. Attendant detects a situation outside the space which could endanger the entrants.
      c. Attendant detects behavioral affects of hazard exposure.
      d. Attendant detects an uncontrolled hazard within the permit space.
      e. Attendant must leave the workstation.
   4. Attendant will summon rescue personnel and other emergency services (without leaving the workstation) as soon as the attendant determines that the entrants need to be rescued.
   5. Attendant will take the following actions when unauthorized persons approach or enters a permit space:
      a. Warn unauthorized persons away from space.
      b. Inform the unauthorized persons to exit immediately if they have entered permit space.
      c. Inform the authorized entrants and entry supervisor of entry of unauthorized persons.
   6. Rescue:
      a. Call 911 dispatch for rescue.
      b. Attendant will not enter permit space to attempt a rescue of entrants.
      c. Properly use any rescue equipment provided, and perform assigned rescue and emergency duties without entering the permit space.
      d. Notify specific department supervisors and safety coordinator.

C. Entry Supervisor:
   1. Determine that the entry permit contains the required information before allowing entry.
   2. Assure that the necessary procedures, practices and equipment for safe entry are in effect and in place before allowing entry.

3. Assure, at intervals, that entry operations remain consistent with the terms of the entry permit, and that acceptable entry conditions remain present.
4. Cancel the entry authorization and terminate entry whenever acceptable entry conditions are not present.
5. Take necessary measures for concluding an entry operation, such as closing off a permit space and canceling the permit once the work authorized by the permit has been concluded.
6. Take appropriate measures to remove unauthorized personnel in or near the entry permit space.

3.08 Equipment:

Lyon County will provide, maintain, and ensure the proper use of equipment for safe confined space entry including; testing, communication, and personal protective equipment, etc.

3.09 Confined Space Permit:

A. All sections of the permit must be completed.
B. Atmosphere sampling for hazardous gasses, and oxygen levels must be taken prior to permit required confined space entry, and continuously during the entry.
C. Permit:

Appendix D-1

Confined Space Entry Permit

Date and Time Issued: _____ Date and Time Expires: _____

Job site/Space I.D.: _____ Job Supervisor: _____

Equipment to be worked on: _____ Work to be performed: _____

Stand-by personnel: _____ _____ _____

1. Atmospheric Checks: Time _____
   Oxygen _____%
   Explosive _____% L.F.L.
   Toxic _____PPM

2. Tester's signature: _____

3. Source isolation (No Entry):	N/A	Yes	No
Pumps or lines blinded,	( )	( )	( )
disconnected, or blocked	( )	( )	( )

4. Ventilation Modification:	N/A	Yes	No
Mechanical	( )	( )	( )
Natural Ventilation only	( )	( )	( )

5. Atmospheric check after isolation and Ventilation:

Oxygen _____%	>	19.5	%
Explosive _____% L.F.L	<	10	%
Toxic _____PPM	<	10	PPM H(2)S

Time _____

Testers signature: _____

6. Communication procedures: _____

_____

7. Rescue procedures: _____

_____

_____

_____

8. Entry, standby, and back up persons:	Yes	No
Successfully completed required training?		
Is it current?	( )	( )

9. Equipment:	N/A	Yes	No

Direct reading gas monitor - tested	( )	( )	( )
Safety harnesses and lifelines for entry and standby persons	( )	( )	( )
Hoisting equipment	( )	( )	( )
Powered communications	( )	( )	( )
SCBA's for entry and standby persons	( )	( )	( )
Protective Clothing	( )	( )	( )
All electric equipment listed Class I, Division I, Group D and Non-sparking tools	( )	( )	( )

10. Periodic atmospheric tests:

Oxygen	____%	Time ____	Oxygen	____%	Time ____
Oxygen	____%	Time ____	Oxygen	____%	Time ____
Explosive	____%	Time ____	Explosive	____%	Time ____
Explosive	____%	Time ____	Explosive	____%	Time ____
Toxic	____%	Time ____	Toxic	____%	Time ____
Toxic	____%	Time ____	Toxic	____%	Time ____

We have reviewed the work authorized by this permit and the information contained here-in. Written instructions and safety procedures have been received and are understood. Entry cannot be approved if any squares are marked in the "No" column. This permit is not valid unless all appropriate items are completed.

Permit Prepared By: (Supervisor)_____

Approved By: (Unit Supervisor)_____

Reviewed By (Cs Operations Personnel) :

_____ _____

(printed name) (signature)

This permit to be kept at job site. Return job site copy to Safety Office following job completion.

Copies: White Original (Safety Office)
Yellow (Unit Supervisor)
Hard(Job site)

PREVENTION OF UNAUTHORIZED ENTRY

	Yes
1. Have Worker(s) to enter been trained for this specific entry?	____
2. Have Attendants been trained for this specific space?	____
3. Post "WORKER IN CONFINED SPACE" or "CONFINED SPACE ENTRY IN PROGRESS" Signs	____
4. Set-up the following additional barriers:	____
_____	
_____	

MANDATORY SAFETY EQUIPMENT REQUIRED

	Yes	N/A
1. Fire Extinguisher	____	____
2. Retrieval Lines	____	____
3. Respirator	____	____
4. Goggles	____	____
5. Hearing Protection	____	____
6. Protective Clothing	____	____
7. Special Boots or Shoes	____	____
8. Gloves	____	____
9. Other safety equipment required		
_____	____	
_____	____	

COMMUNICATION PROCEDURES AND EQUIPMENT TO BE USED FOR THIS ENTRY

(Verify that chosen equipment is in place and operational.)

	Verified by:
1. _____	_____
2. _____	_____

RESCUE EQUIPMENT TO BE PROVIDED ON-SITE

	Yes	N/A
a. Two chest harnesses or two wristlets	____	____
b. Two five minute air supply capsules	____	____
c. One 30 minute S.C.B.A.	____	____
d. One emergency siren	____	____
e. Other necessary Rescue Equipment:	____	____
_____	____	
_____	____	

IN CASE OF EMERGENCY

Rescue Service	Phone Number or Ext.
1. _____	_____
2. _____	_____
3. _____	_____

Entry Supervisor must sign below AFTER all the above actions are fully understood and conditions necessary for SAFE entry have been met.

Entry Supervisor _____ _____ _____
Signature Date Time

Upon completion of the entry covered by this Permit, and after all entrants have exited the Permit space, **Entry Supervisor** must sign below.

Canceled by _____ _____ _____
Signature Date Time

Section 4:

Lyon County Hazard Communication Program

4.01 Purpose

1. The Hazard Communications Program was developed by the U.S. Department of Labor and is designed to protect all workers in the United States who are exposed or are potentially exposed to hazardous substances at their Departments.

2. Major Changes to the Hazard Communication Standard (HCS) from HCS 2004 to HCS 2012:

   - **Hazard classification**: Provides specific criteria for classification of health and physical hazards, as well as classification of mixtures.
   - **Labels**: Chemical manufacturers and importers will be required to provide a label that includes a harmonized signal word, pictogram, and hazard statement for each hazard class and category. Precautionary statements must also be provided.
   - **Safety Data Sheets:** Will now have a specified 16-section format.
   - **Information and training:** Employers are required to train workers by December 1, 2013 on the new labels elements and safety data sheets format to facilitate recognition and understanding.

3. Effective dates:

Effective Completion Date	Requirement(s)	Who
December 1, 2013	Train employees on the new label elements and safety data sheet (SDS) format.	Employers
June 1, 2015* December 1, 2015	Compliance with all modified provisions of this final rule, except: The Distributor shall not ship containers labeled by the chemical manufacturer or importer unless it is a GHS label	Chemical manufacturers, importers, distributors and employers
June 1, 2016	Update alternative workplace labeling and hazard communication program as necessary, and provide additional employee training for newly identified physical or health hazards.	Employers
Transition Period to the effective completion dates noted above	May comply with either 29 CFR 1910.1200 (the final standard), or the current standard, or both	Chemical manufacturers, importers, distributors, and employers

4. The 2012 Hazard Communication Standard (HCS 2012) (29CFR Part 1910.1200) requires employers under the Occupational Safety and Health Administration (OSHA) to develop a Hazard Communications Program that accomplishes the following:

   a. The program must be written.

   b. All hazardous chemicals must be identified.

c. Identified hazardous chemical containers must be labeled.

d. Safety Data Sheets (SDS) must be made available to all employees.

e. A training and information program must be developed for all employees.

5. This section will identify the responsibility and the requirements for the Hazard Communication (HazCom) Program for the County.

4.02 Responsibility

1. The Risk Manager is the responsible person for the County's Hazard Communication Program. The Emergency Manager will identify the County's Departments that have and use chemicals that fall under the Hazard Communications Standard.

2. Individual County departments will be responsible for identifying hazardous chemicals used in their specific work areas.

3. Each departments Safety Coordinator is responsible for the Hazard Communications Program for the department. The Safety Coordinator will also be designated a HazCom trainer and will instruct County employees on the Hazard Communication training program (as identified in this section) with the use of the department-training manual and checklist developed for each County department.

4. Part of the HazCom trainer's responsibility will also be to instruct part/time County employees and employees of contract workers, working with or around chemical hazards on a routine basis.

4.03 The Program

1. This program must be provided to all County employees (full/time, part/time or seasonal) and all contractor employees working at County sites where they can be exposed to a County identified chemical hazard.

2. This program and the department training manuals will be developed and written by the Safety Committee.

3. Department training manuals will consist of: a trainer checklist, a departments chemicals listing, training accomplishment forms, and this section.

4. Changes to this program will be directed to the Risk Manager and County Safety Committee for appropriate action and inclusion into the program.

5. This program will be made available to the Assistant Secretary and the Director of OSHA upon their request.

4.04 Hazardous Chemical Classification

1. All hazardous chemicals will be identified by each department's Safety Coordinator, supervisors and the Risk Manager using the guidelines identified in the OSHA Hazard Communications Standard (2012) 29CFR Part 1910.1200, paragraph (d), Hazard Classification.

2. A list of chemicals will be located at each department. These listings are to be kept in the front of the SDS Right to Know Station books.

4.05 Labeling and Pictograms

6. Each container of hazardous chemicals at County locations will contain the following:
   b) Pictograms
   c) Signal word
   d) Hazard and precautionary statements
   e) Product identifier
   f) Supplier identification

2. Any container of hazardous chemicals that is not labeled will be appropriately labeled by the department Supervisors using the guidelines in paragraph 4.05.1. Above. Label information will be presented in English.

3. No employee is authorized to remove or deface a label unless specifically authorized to do so by the departments Safety Coordinator.

4. Sample label:

SAMPLE LABEL

PRODUCT IDENTIFIER

CODE
Product Name

SUPPLIER IDENTIFICATION

Company Name
Street Address
City State
Postal Code Country
Emergency Phone Number

PRECAUTIONARY STATEMENTS

Keep container tightly closed. Store in cool, well ventilated place that is locked.
Keep away from heat/sparks/open flame. No smoking.
Only use non-sparking tools.
Use explosion-proof electrical equipment.
Take precautionary measure against static discharge.
Ground and bond container and receiving equipment.
Do not breathe vapors.
Wear Protective gloves.
Do not eat, drink or smoke when using this product.
Wash hands thoroughly after handling.
Dispose of in accordance with local, regional, national, international regulations as specified.

In Case of Fire: use dry chemical (BC) or Carbon dioxide (CO_2) fire extinguisher to extinguish.

First Aid
If exposed call Poison Center.
If on skin (on hair): Take off immediately any contaminated clothing. Rinse skin with water.

HAZARD PICTOGRAMS



SIGNAL WORD

Danger

HAZARD STATEMENT

Highly flammable liquid and vapor.
May cause liver and kidney damage.

SUPPLEMENTAL INFORMATION

Directions for use

Fill weight: Lot Number
Gross weight: Fill Date:
Expiration Date:

5. HCS Pictograms and Hazards:

Health Hazard	Flame	Exclamation Mark
		
▪ Carcinogen ▪ Mutagenicity ▪ Reproductive Toxicity ▪ Respiratory Sensitizer ▪ Target Organ Toxicity ▪ Aspiration Toxicity	▪ Flammables ▪ Pyrophorics ▪ Self-Heating ▪ Emits Flammable Gas ▪ Self-Reactives ▪ Organic Peroxides	▪ Irritant (skin and eye) ▪ Skin Sensitizer ▪ Acute Toxicity ▪ Narcotic Effects ▪ Respiratory Tract Irritant ▪ Hazardous to Ozone Layer (Non-Mandatory)
Gas Cylinder	**Corrosion**	**Exploding Bomb**
		
▪ Gases Under Pressure	▪ Skin Corrosion/Burns ▪ Eye Damage ▪ Corrosive to Metals	▪ Explosives ▪ Self-Reactives ▪ Organic Peroxides
Flame Over Circle	**Environment** **(Non-Mandatory)**	**Skull and Crossbones**
		
▪ Oxidizers	▪ Aquatic Toxicity	▪ Acute Toxicity (fatal or toxic)

4.06 Safety Data Sheets (SDS)

1. Safety Data Sheets (SDS's) formerly known as Material Safety Data Sheets (MSDS's) are usually provided by the manufacturer of the chemical. It must contain the following information:

Section 1, Identification includes product identifier; manufacturer or distributor name, address, phone number; emergency phone number; recommended use; restrictions on use.

Section 2, Hazard(s) identification includes all hazards regarding the chemical; required label elements.

Section 3, Composition/information on ingredients includes information on chemical ingredients; trade secret claims.

Section 4, First-aid measures includes important symptoms/ effects, acute, delayed; required treatment.

Section 5, Fire-fighting measures lists suitable extinguishing techniques, equipment; chemical hazards from fire.

Section 6, Accidental release measures lists emergency procedures; protective equipment; proper methods of containment and cleanup.

Section 7, Handling and storage lists precautions for safe handling and storage, including incompatibilities.

Section 8, Exposure controls/personal protection lists OSHA's Permissible Exposure Limits (PELs); Threshold Limit Values (TLVs); appropriate engineering controls; personal protective equipment (PPE).

Section 9, Physical and chemical properties lists the chemical's characteristics.

Section 10, Stability and reactivity lists chemical stability and possibility of hazardous reactions.

Section 11, Toxicological information includes routes of exposure; related symptoms, acute and chronic effects; numerical measures of toxicity.

Section 12, Ecological information*

Section 13, Disposal considerations*

Section 14, Transport information*

Section 15, Regulatory information*

Section 16, Other information, includes the date of preparation or last revision.

*Note: Since other Agencies regulate this information, OSHA will not be enforcing Sections 12 through 15(29 CFR 1910.1200(g)(2)).

Employers must ensure that SDSs are readily accessible to employees.
See Appendix D of 1910.1200 for a detailed description of SDS contents.

2. If a department receives a chemical from a manufacturer without a SDS, the departments Safety Coordinator must obtain a SDS from the manufacturer. The County can obtain its own SDS for any chemical it believes can create a health hazard even though the manufacturer did not provide one.

3. Each department in the County that uses hazardous chemicals must maintain a SDS book and advise employees as to the SDS book location.

4. Any consumer product used in the workplace in the same manner as normal consumer use, and which use results in exposure which is not greater then exposures experienced by consumers is not covered by this program.

4.07 Training Program

1. All employees will be provided with information and training on hazardous chemicals in their work area at the time of their initial assignment, and whenever a new hazard is introduced into their work area.

2. The training program is divided into three parts:

a) Information
b) Formal training
c) Documentation

3. **Information.** Employees will be informed of:

a) The requirements of the Hazard Communications Program.
b) Any operations in their work area where hazardous chemicals are present.
c) The location of the SDS book and the list of hazardous chemicals at each department.

4. **Formal Training.** Employee formal training will be provided by the department trainer using the guidelines in the department training manual. The department training manuals will be developed by the Safety Committee, and or the department trainer for each department identified by the County. Training will consist of initial training and continuation training. A Department Training Checklist (Attachment B) will be provided for all department training manuals.

5. **Documentation.** When an employee has received the initial training in the program, Training Accomplishment Form, Rsk Mng Form 4.07A (Attachment A) will be filled out by the department trainer and the employee. The form will be forwarded to the Risk Manager whom will then insure the form is placed in the employee's personnel record.

6. **Attachments**:
A – Hazcom Training Accomplishment Form (Rsk Mng Form 4.07A)
B – Department Training Manual Checklist

HAZARD COMMUNICATION PROGRAM

Training Accomplishment Form 4.07A

Employee Name: _____
Division: _____

Training

Initial training accomplished by department Safety Coordinator _____
Print Name

Date training was Conducted: _____

Certification

I certify that the above named employee has been trained in the Hazard Communication Program in accordance with OSHA and County directives as outlined in the County's Operations & Safety Manual and the Department Training Manual.

_____
(Print - HazCom Trainer's Name)

_____ _____
(HazCom Trainer's Signature) (Date)

Lyon County

DEPARTMENT TRAINING

Checklist

The Department Training checklist will be used by HazCom trainers to initially train new employees. This checklist will also be used for continuation training when new SDS are issued by chemical companies or when a routine review of SDS is appropriate.

I. Initial Training. HazCom trainers should brief on:

a) The location of the SDS book.
b) How to read a Safety Data Sheet.
c) How to use SDS book.
d) What hazardous chemicals are located at your Department?
e) Where the lists of hazardous chemicals at your Department is kept.
f) Methods and observations that may be used to detect the presence or release of a hazardous chemical to include detection devices.
g) The physical and health hazards of the chemicals at your Department.
h) The measure employees can take to protect themselves from these hazards to include the availability of protective equipment.
i) The location of your protective equipment.
j) The labeling procedures when chemicals are removed from their original container.

II. Continuation Training - New Chemicals at the Department.

a) Review the new SDS with your employees or have your employees read the new SDS.

b) Review items f, g, h, and i under Initial Training where appropriate.

c) Ensure the new SDS has been logged.

II. Continuation Training - Routine Review.

g) Invite industry safety specialists to talk on specific hazardous chemicals.
h) At an employee meeting choose a SDS to discuss briefly as a refresher.

Section 5:

Lyon County Bloodborne Pathogens Program

5.01 Bloodborne Pathogens Program

1. The program outlined in this Exposure Control Plan is directed by the Occupational Safety and Health Administration (OSHA) Bloodborne Pathogens regulations, Title 29 Code of Federal Regulations (CFR), Part 1910.1030

2. The program applies to every Lyon County employee who can reasonably be expected to come into contact with blood and other specified body fluids in carrying out or in performing their assigned duties.

a) Lyon County employees whose duties can be expected to come into contact with blood or body fluids are: All Lyon County employees.

b) Blood means human blood, blood products, or blood components.

c) Body fluids means semen, vaginal secretions, and cerebrospinal, synovial, pleural, pericardial, peritoneal, and amniotic fluids.

5.02 Maintaining the Plan

1. A copy of this program will be maintained in the following locations: Each department.

2. Infection control representatives are:

a) Safety Coordinators for each department.

3. The Risk Manager is responsible for maintaining the standard for the County, annually reviewing the standard, and updating this plan as necessary.

5.03 Required Training

1. All employees at risk to come into contact with blood, blood products and/or infectious body fluids are required to receive training under this plan.

2. Training will consist of:

a) Viewing an up-to-date video on bloodborne pathogens, which covers all the training requirements prescribed under the OSHA Standard.

b) The location of this plan.

c) An explanation of the Exposure Plan.

d) Operating procedures in the area(s) the employee is assigned.

e) Accomplishing the Bloodborne Pathogens Initial Training Form, Rsk Mng Form 5.07A or the Continuation Training Form, Rsk Mng Form 5.07B as applicable.

f) A question and answer period.

5.04 Training Schedule

1. Initial training will be given when the employee is hired and prior to assuming their duties as a utility employee. Continuation training will be provided to all employees as needed to those employees who are employed on a full time basis.

2. Additional training will be provided to all County employees when existing tasks/procedures are modified or new tasks/new procedures are required which affect the employees' occupational exposure.

3. Both initial and continuous training forms will be kept on file.

5.05 Vaccination

1. The County will provide, "free of charge", the hepatitis B vaccine and vaccination series to include any booster dose to all employees who are at risk under this Exposure Plan.

2. Employees are not required to participate in the vaccination program and may decline.

3. Any employee who declines the vaccination series must sign the hepatitis B Declination Form, Rsk Mng Form 5.07D (Attachment).

5.06 Time Period

The hepatitis B vaccine and vaccination series will be provided after initial training has been accomplished and prior to or within ten working days of initial assignment.

5.07 Specific Plan

1. Methods of Control

a) The sinks in the men & women's bathrooms are designated as the hand washing facilities for this plan. An alternative to hand washing is the use of antiseptic hand wash, or antiseptic towelettes.

b) The sink in the bathrooms as well as any outside hoses and faucets can also be used to flush or wash any area that has come into contact with any chemicals or other harmful substances.

c) When an employee comes in contact with blood, blood products, or other potentially infectious materials and/or after removing personal protective equipment, they will wash their hands and/or any other exposed skin area with soap and water. In addition, mucous membranes will be flushed with water immediately or as soon as feasible following the contact.

d) The area where the first aid kit is located serves as the first aid room and all first aid materials are stored in this kit.

e) Face masks and protective mouth-to-mouth resuscitation devices are not required at either the treatment plant or the pipeline/warehouse. These devices are not stored in any of the first aid kits.

f) Biohazard containers for placing bandages/Band-Aids contaminated with blood and/or infectious materials by each County department as required.

g) When overalls/jackets/shirts or other external clothing become contaminated with blood, chemicals or other potentially infectious materials, they should be cleaned immediately or as soon as possible in hot (120 degrees F) soapy water. Contaminated clothing should be washed alone and should not be washed with any other ordinary clothing.

2. Personal Protective Equipment

a) Personal protective equipment may include, but is not limited to: latex examination gloves, vinyl gloves, face shields, masks, aprons, rubber gloves, eye protection, and rubber aprons.

b) Disposal vinyl gloves will be worn when an employee is expected to be exposed to blood, blood products, potentially infectious materials, or cleaning blood stained surfaces.

c) Eye protection will be available and used when exposure is evident.

d) Eye and body protection (mask, rubber apron and gloves) will be worn when using chemicals, which can be harmful to the skin or other body parts.

e) Personnel who do not use protective equipment will be investigated and the findings will be documented to determine whether changes can be instituted to prevent such occurrences in the future.

f) All personal protective equipment (except latex gloves) will be decontaminated using a solution of water and bleach.

g) Latex and vinyl gloves will be disposed of in the biohazard containers after they are used. Under no circumstances will they be reused, after worn, for any reason.

3. Housekeeping

a) Each department will designate an area for the biohazard containers and inform each employee associated with that department of the location.

b) All materials contaminated with blood, blood products, or potentially infectious materials will be disposed of in the biohazard containers.

c) Contaminated non-disposable equipment will be decontaminated using water and bleach solution before they are placed back into service.

d) The sinks will be checked for contamination and cleaned using the water and bleach solution as soon as possible after exposure.

e) Any contaminated laundry or blankets shall be placed in a biohazard container or bag. Protective gloves will be used when handling contaminated laundry.

4. Exposure

a) An exposure incident is specific eye, mouth, other mucous membrane, non-intact skin, or peritoneal contact with blood or other potentially infectious materials.

b) If an employee has been exposed, he/she must immediately report the incident to their supervisor. The supervisor will then notify Human Resources.

c) Employees and/or supervisors will fill out the "Notice of Injury or Occupational Disease" incident report. This report will be forwarded to Human Resources.

d) All exposure and medical information will be kept strictly confidential.

7 Attachments:

A - Bloodborne Pathogens Training (Rsk Mng Form 5.07A)
B – Bloodborne Pathogens Continuation Training (Rsk Mng Form 5.07B)
C – Hepatitis B Vaccination (Rsk Mng Form 5.07C)
D – Hepatitis B Declination (Rsk Mng Form 5.07D)
E – Hepatitis B Engineering Control (Rsk Mng Form 5.07E)
F – Hepatitis B Protective Equipment (Rsk Mng Form 5.07F)

Bloodborne Pathogens - Initial Training Form 5.07A

Employee: _____
(Print Name)

I certify by my signature below that I have received the following training on the OSHA Standard for Bloodborne Pathogens. I further certify that I will comply with these Standards as the County has presented them to me in this training.

In addition, if I have any questions on the Standard or do not understand the procedures presented by the County, I will resolve any misunderstanding by obtaining a copy of the OSHA Bloodborne Pathogens Standard or the County's Exposure Plan from the County or my supervisor.

Training:

1. Bloodborne Pathogens Standards Training Video ❑

2. Presentation of County Procedures (Check ✓ One)

   Briefing ❑ Video ❑

I certify that the above training was provided by me on _____
(Month/Day/Year)

Trainer: _____
(Print Name) (Signature)

I certify that I have received the above training on the training date specified above.

Employee: _____
(Signature)

Bloodborne Pathogens - Continuous Training Form 5.07B

Division: _____ Training Date: _____
(Month/Day/Year)

By my signature below, I acknowledge that I have received continued training information regarding:

- ✦ Transmission of bloodborne pathogens
- ✦ Methods of recognizing activities with exposure to bloodborne pathogens
- ✦ Explanation of methods to prevent or reduce exposure
- ✦ The types and use of protective equipment
- ✦ Hepatitis B vaccination
- ✦ Procedures for exposure incidents
- ✦ Labeling of Bio-Hazards
- ✦ Methods for the disposal of medical waste
- ✦ Changes in exposure or exposure control methods

The training session was conducted by:

_____
(Print Name)

Qualifications of individual conducting training session:

_____

_____

Print Name **Signature**

_____ _____

Bloodborne Pathogens - Hepatitis B Vaccination 5.07C

Employee: _____ Social Security Number: _____

(Print Name)

HBV Antibody Testing Results (Check ✓ One): Not Tested ❑ Not Immune ❑ Immune ❑

I understand that the vaccine should not be given to anyone that is immunocompromised, allergic to yeast or any other component of the vaccine, or to pregnant women or nursing mothers unless clearly necessary. Relative contradictions include any serious active infection, severely compromised cardiopulmonary function, or any person to whom a febrile or systemic reaction could cause a serious health risk. I certify that to the best of my knowledge I do not have any of the above listed conditions, have been informed of the potential risks and the benefits of the HBV vaccination, and request to receive the vaccination.

_____ _____

Employee Signature (Month/Day/Year)

HBV Vaccination Schedule

	Date Planned	Date Administered	Employee Signature
1st Dose	_____	_____	_____
2nd Dose	_____	_____	_____
3rd Dose	_____	_____	_____

Bloodborne Pathogens - Declination Statement 5.07D

I understand that due to my occupational exposure to blood or other potentially infectious materials I may be at risk of acquiring hepatitis B virus (HBV) infection. I have been given the opportunity to be vaccinated with hepatitis B vaccination at no charge to me. However, I decline hepatitis B vaccination at this time. I understand that by declining this vaccine, I continue to be at risk of acquiring hepatitis B, a serious disease. If in the future, I continue to have occupational exposure to blood or other potentially infectious materials and I want to be vaccinated with hepatitis B vaccine, I can receive the vaccination series at no charge to me.

_____	_____	_____
Employee Name (Print)	Employee Signature	Date

Bloodborne Pathogens - Engineering Controls 5.07E

Work Area: _____ Date: _____
(Month/Day/Year)

Engineering Controls:

Item	Needed Yes	Needed No	Available Yes	Available No
Sharps Containers	❑	❑	❑	❑
Medical Waste Containers (Labeled/Leak proof)	❑	❑	❑	❑
Hand washing Facilities (with antiseptic soap)	❑	❑	❑	❑
Storage/Transport Containers	❑	❑	❑	❑
Splash guards	❑	❑	❑	❑
Self-sheathing needles	❑	❑	❑	❑
Other _____	❑	❑	❑	❑
Other _____	❑	❑	❑	❑
Other _____	❑	❑	❑	❑

Comments:
_____
_____
_____

Reviewer: _____ _____
(Print Name) (Signature)

Bloodborne Pathogens - Protective Equipment 5.07F

Work Area: _____ Date: _____
(Month/Day/Year

Protective Equipment:

Item	Needed Yes	Needed No	Available Yes	Available No
Gloves	❑	❑	❑	❑
Eyewear (safety glasses / eye shields)	❑	❑	❑	❑
Lab coats	❑	❑	❑	❑
Face shields / respirators / masks	❑	❑	❑	❑
Head / foot coverings	❑	❑	❑	❑
Ventilation devices (pocket masks)	❑	❑	❑	❑
Other _____	❑	❑	❑	❑
Other _____	❑	❑	❑	❑
Other _____	❑	❑	❑	❑

(Appropriate sizes must be available for each type of equipment)

Comments:
_____

Reviewer: _____ _____
(Print) (Signature)

Section: 6

Lyon County Personal Protective Equipment Program

6.01 General Requirements

Application

1. Using the guidelines identified in OSHA Standard 29CFR Part 1910.132.Protective equipment, including personal protective equipment for eyes, face, head, and extremities, protective clothing, respiratory devices, and protective shields and barriers, shall be provided, used, and maintained in a sanitary and reliable condition wherever it is necessary by reason of hazards of processes or environment, chemical hazards, radiological hazards, or mechanical irritants encountered in a manner capable of causing injury or impairment in the function of any part of the body through absorption, inhalation or physical contact.
2. Where employees provide their own protective equipment, County department supervisors shall be responsible to assure its adequacy, including proper maintenance, and sanitation of such equipment
3. All personal protective equipment shall be of safe design and construction for the work to be performed.

Hazard assessment and equipment

1. County department supervisors shall assess the workplace to determine if hazards are present, or are likely to be present, which necessitate the use of personal protective equipment (PPE). If such hazards are present, or likely to be present, the supervisor shall:
2. Select, and have each affected employee use, the types of PPE that will protect the affected employee from the hazards identified in the hazard assessment;
3. Communicate selection decisions to each affected employee; and,
4. Select PPE that properly fits each affected employee.
5. Defective or damaged personal protective equipment shall not be used.

Training

1. Lyon County shall provide training to each employee who is required to use PPE. Each such employee shall be trained to know at least the following:
2. When PPE is necessary;
3. What PPE is necessary;
4. How to properly don, doff, adjust, and wear PPE;
5. The limitations of the PPE; and,
6. The proper care, maintenance, useful life and disposal of the PPE.
7. Each affected employee shall demonstrate an understanding of the training.

6.02 Eye and Face Protection

1. Using the guidelines identified in OSHA Standard 29CFR Part 1910.133. Lyon County shall ensure that each affected employee uses appropriate eye or face protection when exposed to eye or face hazards from flying particles, molten metal, liquid chemicals, acids or caustic liquids, chemical gasses or vapors, or potentially injurious light radiation.
2. Lyon County shall ensure that each affected employee uses eye protection that provides side protection when there is a hazard from flying objects.
3. Lyon County shall ensure that each affected employee who wears prescription lenses while engaged in operations that involve eye hazards wears eye protection that incorporates the prescription in its design, or wears eye protection that can be worn over the prescription lenses without disturbing the proper position of the prescription lenses or the protective lenses.
4. Eye and face PPE shall be distinctly marked to facilitate identification of the manufacturer.

Light Radiation

Lyon County shall ensure that each affected employee uses equipment with filter lenses that have a shade number appropriate for the work being performed for protection from injurious light radiation. The following is a listing of appropriate shade numbers for various operations.

Filter Lenses for Protection Against Radiant Energy

Operations	Electrode Size 1/32 in.	Arc Current	Minimum(*) Protective Shade
Shielded metal arc welding	Less than 3	Less than 60 ...	10
	3-5	60-160	10
	5-8	160-250	10
	More than 8	250-550	11
Gas metal arc welding and flux cored arc welding		less than 60 ...	10
		60-160	10
		160-250	10
		250-500	10
Gas Tungsten arc welding		less than 50 ...	10
		50-150	10
		150-500	10
Air carbon Arc cutting	(Light)	less than 500 ..	11
	(Heavy)	500-1000	11

Plasma arc welding	less than 20 ...	8
	20-100	8
	100-400	10
	400-800	11
Plasma arc cutting (light)(**)	less than 300 ..	8
(medium)(**)	300-400	9
(heavy)(**)	400-800	10
Torch brazing	.....	3
Torch soldering	.....	2
Carbon arc welding	.....	14

Filter Lenses for Protection Against Radiant Energy

Operations	Plate thickness-inches	Plate thickness-mm	Minimum(*) Protective Shade
Gas Welding:			
Light	Under 1/8	Under 3.2	7
Medium	1/8 to 1/2	3.2 to 12.7	7
Heavy	Over 1/2	Over 12.7	7
Oxygen cutting:			
Light	Under 1	Under 25	7
Medium	1 to 6	25 to 150	7
Heavy	Over 6	Over 150	7

Footnote(*) As a rule of thumb, start with a shade that is too dark to see the weld zone. Then go to a lighter shade which gives sufficient view of the weld zone without going below the minimum. In oxyfuel gas welding or cutting where the torch produces a high yellow light, it is desirable to use a filter lens that absorbs the yellow or sodium line in the visible light of the (spectrum) operation.

Footnote(**) These values apply where the actual arc is clearly seen. Experience has shown that lighter filters may be used when the arc is hidden by the workpiece.

6.03 Respiratory Protection

Permissible practice**.**

In the control of those occupational diseases caused by breathing air contaminated with harmful dusts, fogs, fumes, mists, gasses, smokes, sprays, or vapors, the primary objective shall be to prevent atmospheric contamination. This shall be accomplished as far as feasible by accepted engineering control measures (for example, enclosure or confinement of the operation, general and local

ventilation, and substitution of less toxic materials). When effective engineering controls are not feasible, or while they are being instituted, appropriate respirators shall be used.

Respirators shall be provided by Lyon County when such equipment is necessary to protect the health of the employee. Lyon County shall provide the respirators which are applicable and suitable for the purpose intended. Individual Lyon County departments as required shall be responsible for the establishment and maintenance of a respiratory protection program which shall include the requirements outlined below.

1. In any workplace where respirators are necessary to protect the health of the employee or whenever respirators are required by Lyon County, Lyon County shall establish and implement a written respiratory protection program with worksite-specific procedures. The program shall be updated as necessary to reflect those changes in workplace conditions that affect respirator use.

2. Lyon County may provide respirators at the request of employees or permit employees to use their own respirators, if Lyon County determines that such respirator use will not in itself create a hazard.

3. In addition, individual Lyon County departments that require the use of a respirator must establish and implement those elements of a written respiratory protection program necessary to ensure that any employee using a respirator voluntarily is medically able to use that respirator, and that the respirator is cleaned, stored, and maintained so that its use does not present a health hazard to the user. Exception: Lyon County departments are not required to include in a written respiratory protection program those employees whose only use of respirators involves the voluntary use of filtering facepieces (dust masks).

4. Lyon County departments that require the use of respirators shall designate a program administrator who is qualified by appropriate training or experience that is commensurate with the complexity of the program to administer or oversee the respiratory protection program and conduct the required evaluations of program effectiveness.

5. Lyon County departments that require the use of respirators shall provide respirators, training, and medical evaluations at no cost to the employee.

6.04 Hearing Protection

The purpose of hearing protection is to reduce the outside noise level to below 85 decibels (dB). This is the level considered safe to work in throughout an eight-hour day. The higher the decibel level over 85 (dB) the shorter amount of an eight hour day an employee will be allowed to work around the noise.

Where decibel levels exceed 85 (dB) Lyon County will:

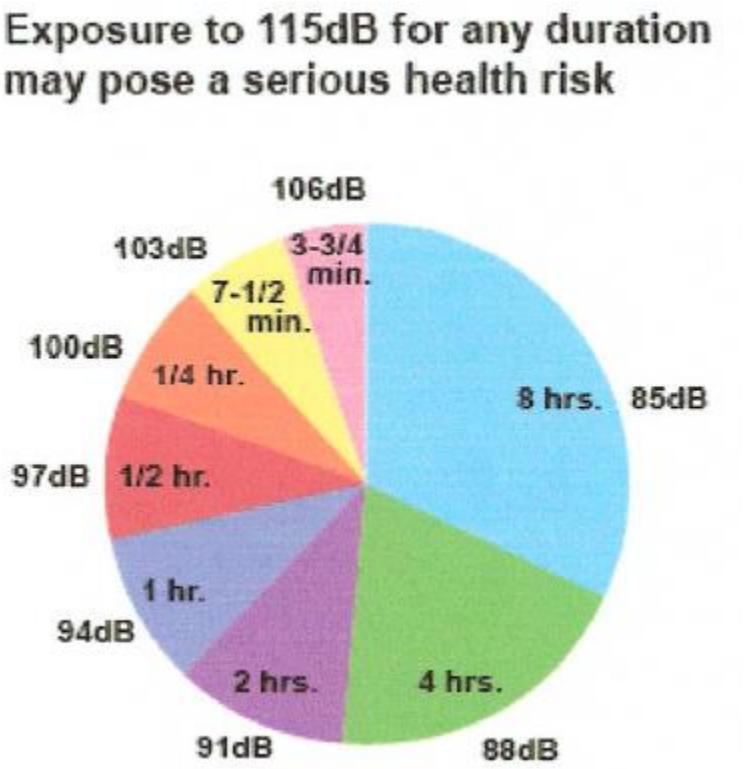
1. Measure the decibel level to determine risk.

2. Post signs warning hearing protection required.

3. Provide hearing protection. Foam inserts or ear muffs'

4. All hearing protection will be labeled to show its effectiveness

The following chart shows exposure limits:



6.05 Fall Protection

Fall protection shall be used by Lyon County employees to protect them from:

1. Falls of 6 feet or more off unprotected sides or edges, e.g., floors and roofs.

2. Falling into or through holes and openings.

3. Runways and ramps where employees are exposed to falls of 6 feet or more to a lower level.

Lyon County employees may be required to wear fall protection harnesses and lanyards. Individual Lyon County department supervisors or department safety coordinators will determine on a case to case basis where fall protection is mandatory and what type of fall protection devices are to be used.

6.06 Head Protection

Where there is the exposure of overhead danger from falling objects or from electric shock or burns, protective headwear must be worn. Protective headwear is an approved hard hat that meets the requirements of the American National Standards Institute (ANSI Z889.1-1969).

Protective headwear will be issued to employees required to use it on the job. Employees are responsible for using their hard hats while working. Also, employees must notify their supervisor about a damaged or lost hard hat immediately.

6.07 Hand Protection

When there is an exposure to the hands, protective gloves are required. Protective gloves are construction type work gloves and chemical resistive gloves.

Construction type work gloves are required for, but not limited to, employees that have an opportunity of cutting, pinching, hitting, or burning their hands.

Chemical resistive gloves are required for, but not limited to, employees that have an opportunity of spilling hazardous chemicals or corrosive material onto their hands.

6.08 Foot Protection

Lyon County employees shall be required to wear protective footwear when working in areas where there is a danger of foot injuries due to falling or rolling objects, or objects piercing the sole, and where such employee's feet are exposed to electrical hazards.

Protective footwear may include but is not limited to:

1. Leather boots, or steel toed/safety toed boots.
2. Rubber, waterproof, or chemical resistant boots

Section: 7

Lyon County
Hot Work Program and Permit

7.01 Purpose

This is Lyon County's policy/program for controlling the fire hazards of hot work operations. The Hot Work Permit Policy has been established to prevent unintended ignition of combustible and flammable materials. The use of portable hot work equipment must be controlled to prevent fires. Outside contractors performing repair and alteration work are of particular concern since they are not familiar with the County's buildings or processes, and may not be supervised closely. Hot work done outside of a fixed facility should comply with NFPA 51B, *Standard for Fire Prevention During Welding, Cutting and Other Hot Work*, and require the use of a Hot Work Permit.

7.02 Regulatory Authority

Title 29, Part 1910.252 *(OSHA's Hot Work Standard)* United States Department of Labor, Occupational Safety & Health Administration, Welding Cutting and Brazing.

7.03 Organizational Assignments/Responsibilities

This policy applies to all Lyon County buildings, facilities, shops and vendors/contractors who perform welding, cutting and other hot work on Lyon County properties.
The Supervisor of the department performing welding, cutting and other hot work tasks shall review hot work procedures for each Hot Work Permit form submitted and sign the Hot Work Permit as applicable. A copy of the permit must be posted at the work location.
Lyon County Project Managers shall review welding, cutting and other hot work and locations proposed by vendors and contractors for applicability of this policy. Project Managers are responsible for advising contractors/vendors about the Hot Work Permit procedures for the purpose of recognizing, evaluating and controlling hot work hazards on Lyon County properties. A representative of the contractor or vendor must complete the Hot Work Permit and submit as described above.
Each individual performing welding or cutting and any hot work activity defined below shall ensure precautions have been taken as prescribed in the Hot Work Permit form prior to commencing any work. *The Hot Work Permit form shall be submitted to the department's safety coordinator* ***at least 24 hours*** (**when practical**) *prior to commencing any hot work in areas not approved for hot work.*

7.04 Compliance

Hot Work is any activity that could produce flames, sparks, slag, or other hot fragments that might act as an ignition source to flammable materials in the area. Hot Work also includes any activity that could generate sufficient smoke or heat to activate a fire alarm detection system. It includes, but is not limited to: welding, cutting, torch soldering, brazing, heat treating, pipe thawing, and grinding. Too often, persons who use, hire, or supervise these processes do not fully appreciate that improper use and lack of fire safeguards can result in loss of life and property by fire and explosion. Cutting and certain arc welding processes produce thousands of ignition sources in the form of sparks and hot slag. These globules of molten metal could scatter horizontally as far as 35 feet, setting fire to all kinds of combustible materials.

7.05 Permissible Areas

Cutting, welding and other hot work shall be permitted only in areas that are or have been made fire safe. Assuming hot work is necessary; the first step is to determine if the work can be done in a designated or approved hot work area. A designated area is a specific area designed or approved for hot work.

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Approved Hot Work Areas - Areas that are not subject to a Hot Work Permit include:

- Welding and Cutting Shops; as defined by the Safety Coordinator for each department.
- Utilities; Water distribution and pumping systems as designated by the Water Superintendent.
- Utilities: Wastewater pumping stations and plants as designated by the Wastewater Superintendent.
- Detached outdoor areas that are free of flammable and combustible materials within a 35 ft. radius minimum (i.e., dry brush, grass, leaves) and is suitably separated from adjacent areas.

Prohibited Hot Work Areas -If hot work cannot be accomplished in an approved hot work area, there is a need to determine whether hot work is prohibited altogether. Sometimes an area simply cannot be made safe for cutting, welding or any other hot work and shall not be permitted. Some examples of prohibited hot work situations are as follows:

- Where processes involving flammable liquids, gasses and dusts cannot be shut down and made safe;
- Where lint and/or dust conditions are severe beyond correction;
- On partitions, walls, ceilings, or roofs with combustible coverings (e.g., expanded plastic insulation);
- On pipe or other metals that can conduct enough heat to ignite nearby combustibles;
- In the presence of explosive atmospheres (e.g., mixtures of flammable gasses, vapors, liquids, or dusts with air);
- In sprinklered buildings while such protection is impaired;
- In areas near the storage of large quantities of exposed, readily ignitable materials such as bulk fuel, paper, or aerosols; and
- In areas not authorized by management.
- Confined space areas where SCBA's are required (if hazard can't be mitigated)

7.06 Fire Watch

1. A fire watchers job is to monitor the area and watch for fires from the hot work operation and to make sure that persons not involved in the hot work operation do not come into or move combustible or flammable materials in to the work zone during the hot work operation.
2. Fire watchers shall be required by the individual responsible for authorizing the hot work wherever hot work is performed in locations that a minor fire might develop, or where:
   - Appreciable combustible materials in building construction or contents are closer than 35 ft. (11 m) to the point of operation;
   - Appreciable combustibles are more than 35 ft. (11 m) away but are easily ignited by sparks;

- Wall or floor openings within a 35 ft. (11 m) radius expose combustible material in adjacent areas, including concealed spaces in walls or floors;
- Combustible materials are adjacent to the opposite side of metal partitions, walls, ceilings, or roofs and are likely to be ignited by heat conduction or radiation.

3. Fire watchers shall have a fully charged and operable fire extinguisher or other extinguishing method available. In either case, the fire watcher will be trained to use the fire extinguishing equipment.

4. Fire watchers shall be familiar with facilities and procedures for sounding an alarm in the event of a fire.

5. Fire watchers shall watch for fires in all exposed areas, and try to extinguish them first only when obviously within the capacity of the equipment available, or otherwise sound the alarm immediately.

6. A fire watch shall be maintained for at least 30 minutes after completion of cutting, welding and other hot work operations to detect and extinguish smoldering fires.

7. If the individual conducting the fire watch must leave the area momentarily (to use the restroom, retrieve parts or tools from a service vehicle, etc.), they must arrange to have someone else take over the fire watch responsibility during the time they are away.

7.07 Precautions

Precautions required include but are not limited to:

- Valves, regulators, flash back suppressors , hoses, and torches shall be checked regularly;
- Welding or cutting on vessels that contain combustible or flammable material is prohibited unless completely purged and residue removed;
- Gas cutting and welding equipment shall be secured to avoid damage and disturbance;
- Welding curtains should be used to prevent hot slag from scattering and to protect the vision of persons in close proximity to the hot work.
- Personnel performing hot work shall ensure that the atmosphere is free of flammable or combustible vapors.
- Ensure adequate ventilation is provided;
- Segregate combustible material at least 35 feet from work area;
- Provide guarding in the form of shielding and covering if combustibles cannot be removed or segregated;
- Remove combustibles from common surfaces when welding on metal walls, partitions, or ceilings is to be completed;
- Special attention to welding or cutting pipes in contact with walls made with combustible materials; and
- Post a fire watch in areas where combustibles cannot be safely segregated from work, where sparks may impact lower levels in cases of elevated work, or where a fire alarm has been partly or completely disable in order to perform the work.
- Personnel performing hot work shall ensure that proper personal protective equipment is used.

7.08 Contractors and Vendors

Lyon County Project Managers shall evaluate hot work activities to be conducted by contractors or vendors for adherence to the Hot Work Permit policy prior to the start of work. Lyon County employees, contractors and vendors are required to complete the Hot Work Permit form prior to the start of work unless precluded by an emergency situation.

7.09 The Hot Work Permit

Hot Work Permit Form

This Form is to be filled out in its entirety by the responsible individual who has personally inspected the proposed worksite. Unless impossible due to an emergency situation, it must be received by the Department Safety Coordinator or a Supervisor prior to the beginning of a project.

Who Will Do The Work

Name of responsible person:

Name of Immediate Supervisor:

Performing Lyon County Dept. or Contractor:

Telephone Numbers:
Office:
Cell:

If contractor list complete address:

The Work Itself

Date work is to be performed:

Date work is to be finished:

Start Time

End Time

Describe the work to be performed:

Verify All Of The Following

	Yes	No
Hot work equipment will be inspected and determined to be in good repair prior to start of work.		
This work cannot be reasonably done in a shop or other area designed for this purpose.		
No sprinklers will be taken out of service while the work is being done.		
The potential for smoke, heat, airborne dust, etc. to trigger a fire alarm has been evaluated and appropriate measures will be taken to prevent false alarms (including both local horns and strobs and automatic Fire Dept. notification). Advanced arrangements may be necessary for Electricians to deactivate and restore system components. Ensure that systems are restored as soon as possible after completion of work.		

	Yes	No
There are no combustible fibers, dust, vapors, gasses or liquids in the area.		
All combustibles will be relocated **when practical** 35 feet from the operation and the remainder will be protected.		
Fire alarms will not be taken out of service until a fire watch has been established. If alarms are taken out of service the Lyon co. Utilities Elect/Mech dept., and or the Facilities Dept. must be given advanced notice.		
Surrounding floors will be swept clean. If combustible, wet down.		
Ample portable fire extinguishers will be available on site. These will be over and above the normal compliment of building extinguishers		
All floors and wall openings, including cracks, within 35 feet will be covered.		
A **FIRE WATCH** during work, breaks, and for 30 minutes after will be established. An appropriate number of people have been assigned.		
There will be no harmful radiation generated by this work, or fire resistant screens will be positioned to protected bystanders.		
Workers or bystanders will not be exposed to toxic fumes. Otherwise adequate ventilation will be provided to mitigate these issues.		
Prior to starting work, workers will determine the location of nearest: phone, alarm pull station, building fire extinguisher, and escape route.		
The person performing the hot work will verify the conditions specified in the permit prior to the start of work each day the permit is in effect.		

Permit authorizing individual (for Utilities must be a Grade III operator or above): I personally surveyed the work site and attest that the above precautions have been followed and are correct. All no answers have been signed off by a responsible supervisor.

Received by: Authorized Safety Coordinator or Supervisor!

Date:

Section: 8

Lyon County Compressed Gasses Program

8.01 Introduction

Compressed gas cylinders are necessary in many County operations. Compressed gasses expose users to both chemical and physical hazards. Gasses contained within compressed gas cylinders can be toxic, flammable, oxidizing, corrosive, inert, or some combination thereof. Because the chemical is in gaseous form and pressurized, it can quickly contaminate a large area in the event of a leak in the cylinder, the regulator, or any part of the system after the regulator; therefore, familiarity with the chemical hazards of the gas is necessary. The gas can also be injected into the body through the skin if the gas is blown against the skin with sufficient pressure. In addition to the chemical hazards, there are hazards from the pressure of the gas and the physical weight of the cylinder. A gas cylinder falling over can break chemical containers and crush feet. The cylinder can itself become a rocket if the cylinder valve is broken off. Appropriate care in the handling and storage of compressed gas cylinders is essential.

This safety section contains recommendations on the rental and return of gas cylinders, the disposal of non-returnable cylinders, the basic measures necessary to use compressed gas cylinders safely, and the basic guidance on gas system safety. Gas specific safety information can be found in the cylinder labeling, in the Safety Data Sheet/Material Safety Data Sheet, and through the gas manufacturer or vendor.

8.02 Refillable and Non-refillable Gas Cylinders

1. There are two types of cylinders used in Lyon County:
    - **Refillable gas cylinders** supplied by gas vendors which are generally large and have an average of 200 cubic feet of compressed gas in them.
    - **Non-refillable gas cylinders** such as small propane bottles or disposable cylinders.
2. Refillable gas cylinders usually are provided on a rental basis from a gas vendor. These cylinders are owned by the gas vendor and must be returned to them when they are empty or when partially filled and the gas is no longer in use. The rental and return of refillable gas cylinders to gas vendors units is the recommended practice for the management of cylinders.
3. **Disposable cylinders** - while certain gasses (i.e. propane, butane) are sold in "disposable" cylinders, these cylinders should be disposed of in a safe manor where they will not be exposed to extreme heat or pressure.

8.03 General Requirements

1. Contents of the gas cylinder should be clearly identified. Color coding is not a reliable means of identification. Do not deface or remove any markings, tags or stencil marks used for identification of contents attached by the gas vendor. Cylinders which do not bear a legibly written, stamped, or stenciled identification of the contents should not be used: they should be segregated and the gas vendor should be contacted for removal.

2. Caps used for valve protection should be kept on the cylinder except when the cylinder is in use. A cylinder's cap should be screwed all the way down on the cylinders neck and should fit securely. The cap is for valve protection only.
3. Leaking Cylinders
    - **Poisonous gas** cylinders, regardless of size, should only be opened while in a chemical fume hood or appropriate gas cabinet. In extenuating circumstances alternate ventilation may be used only with prior review and approval of the Department's Safety Coordinator. If there is a circumstance where it is possible that a poison gas could be entering the room air, immediately leave the room, close the door(s), activate the nearest fire alarm pull station, evacuate the area and call 911 from a safe place to report the emergency. Be sure to meet the Fire Department at the main entrance of the area you are at to explain the situation. If the cylinder is rented, the gas vendor should be contacted for disposal of the cylinder once the emergency situation is stabilized.
    - If a cylinder containing **flammable** or **oxidizing gas** is leaking, follow the same steps as above, but turn off all sources of ignition in the room prior to leaving if the shutoffs are accessible and isolated from the leak or are explosion proof. Never attempt to extinguish a fire involving flammable gas without shutting off the gas supply; explosive atmospheres could be created.
    - If the leaking cylinder contains an **inert gas**, place the cylinder in a well-ventilated location, preferably an outdoor cylinder storage area. If the cylinder is rented, the gas vendor should be contacted for removal of the cylinder.
4. If a cylinder or valve is noticeably corroded, the gas vendor should be contacted and the vendor's instructions followed. Any other damage that might impair the integrity of the cylinder should be called to the attention of the gas vendor before the cylinder is returned.
5. Components of gas systems should be labeled to avoid any confusion.
6. The practice of transferring compressed gasses from one commercial cylinder to another is not permitted unless performed by the gas vendor.

8.04 Moving and Transporting Cylinders

1. Always use a suitable cylinder cart for transporting cylinders, with the cylinder securely chained or strapped to the cart. Do not roll or drag a cylinder to move it or allow cylinders to strike each other or any other surface violently.
2. Protective valve caps must be secured when moving cylinders. Avoid lifting or moving the cylinder by the cap.
3. Ropes or slings should not be used to suspend cylinders unless the gas vendor has made provisions for such lifting and attachment points are provided on the cylinder.

8.05 Storing Cylinders

1. All cylinder storage areas must be prominently marked with the hazard class or the name of the gasses to be stored; e.g. "Flammable Gas Storage Area", and "No Smoking" signs posted where appropriate.
2. Always secure gas cylinders, upright (with valve end up) to a wall, bench top, cylinder rack or post, unless the cylinder is specifically designed to be stored otherwise. Specially designed cylinder clamps can be purchased for securing a cylinder against a bench top.

3. Where gasses of different types are stored at the same location, cylinders (empty or full) should be grouped by the type of gas; e.g., flammable, oxidizer, toxic or corrosive. Inert gasses can be stored with any other type of gas.
4. To avoid confusion, full cylinders should be stored separately from empty cylinders.
5. Cylinders should be stored in a well-ventilated area away from sparks, flames or any source of heat or ignition. Cylinders may be stored outside on a slab, however, where extreme temperatures prevail; cylinders should be stored so that they are protected from the direct rays of the sun. Do not expose cylinders to temperatures above 125 degrees F.
6. Cylinders should not be exposed to continuous dampness or stored near salt or other corrosive chemicals or fumes. Corrosion may damage cylinders and cause their valve protection caps to stick.
7. Never store cylinders in any location which could obstruct the safe exit pathway of the building occupants.

8.06 General Use Precautions

1. Do not use compressed gas cylinders for any purpose other than the transportation and supply of gas.
2. Never tamper with or attempt to repair or alter cylinders, regulators or any pressure relief devices. Return cylinders to the gas vendor for all repairs. Have regulators checked and cleaned periodically by trained service personnel.
3. Do not attempt to remove a stuck cylinder cap by using a lever in the cap ports. The lever may accidentally open the valve when the cap turns.
4. Do not place cylinders where they might become part of an electric circuit or allow them to come into contact with an electrically energized system.
5. Use pressure regulators that are equipped with pressure relief devices.

8.07 Utilizing Compressed Gasses

1. Before using the gas, read all label information and the Safety Data Sheets associated with the use of that particular gas.
2. Always use the proper regulator for the gas in the cylinder. Always check the regulator before attaching it to a cylinder. If the connections do not fit together readily, the wrong regulator is being used. Do not force connections to fit, as you may permanently damage the threads.
3. The threads and mating surfaces of the regulator and hose connections should be cleaned before the regulator is attached. Wipe the outlet with a clean, dry, lint-free cloth. Particulates can clog the regulator filter (if so equipped) or cause the regulator to malfunction.
4. Attach the regulator securely, with the secondary valve closed and with the regulator flow backed off (counterclockwise) before opening the cylinder valve.
5. Do not permit oil or grease to come in contact with cylinders or their valves, especially cylinders containing oxidizing gasses (See the section on Special Precautions for Using Oxygen and Oxidizing Gasses.)
6. Always use a cylinder wrench or other tightly fitting wrench to tighten the regulator nut and tube connections. When working with tubing or tube fittings, where turning a wrench

could put torque on weaker system parts, use a second wrench in a suitable location to counter the torque.

7. Teflon tape should only be used on tapered pipe threads where the seal is made at the threads, not on cylinder connections or tube fitting connections, all which have metal-to-metal-face seals or gasketed seals.
8. When opening a cylinder valve, open the valve slowly. Point the valve opening away from yourself and other persons. Never use a wrench or hammer to open or close a hand wheel-type cylinder valve. If the valve is frozen and cannot be operated by hand, return the cylinder to the gas vendor.
9. Use soapy water or leak detection equipment to ascertain that there are no leaks in the gas transport system. Use an ammonia soaked rag to detect Chlorine leaks.
10. Before a regulator is removed from a cylinder, close the cylinder valve and release all pressure from the regulator.
11. Never completely empty a rented gas cylinder, rather discontinue use of the cylinder when it has at least 25 psi remaining. Mark the cylinder so that others know that it is nearly empty; e.g., write "MT" on a piece of tape and stick it on the cylinder in such a way that the tape will not come off unless intentionally removed. Verify that the valve is closed and secure the cylinder valve protective cap and outlet cap or plug, if used.
12. Utilize pressure relief devices; e.g., pressure relief valves and rupture discs where appropriate to protect against the over pressurizing of any element of the compressed gas system that cannot safely withstand full cylinder pressure.
13. Be sure to use valves, tubing and tube fittings that are designed for the application. If in doubt, contact the manufacturer or distributor.
14. Where there is any chance for equipment malfunction, inspect the condition of the equipment at appropriate intervals.

8.08 Special Precautions for Using Flammable Gasses

In addition to the above guidelines, the following measures should be taken when handling flammable gasses.

1. Cylinders containing flammable gasses (empty or full) should be separated from cylinders containing oxidizing gasses by a minimum distance of 20 feet or by a barrier at least 5 feet high which has a fire-resistance rating of at least one-half hour; e.g., a concrete block wall.
2. Do not store flammable gasses near unprotected electrical connections, heat sources or any source of ignition.
3. Storage of flammable gasses in a ventilated, fire resistant enclosure is recommended; e.g., an approved gas cabinet or chemical fume hood. If this is not possible, flammable gas cylinders should be stored in a well-ventilated space.
4. The quantity of flammable gasses in a building should be kept to a minimum.

8.09 Special Precautions for Using Oxygen and Oxidizing Gasses

In addition to the general guidelines, the following measures should be taken when handling oxidizing gasses:

1. Do not permit oil or grease to come in contact with compressed oxidizing gasses. Regulators and tubing used with oxidizing gasses must be specially cleaned to remove oil and other reducing agents. Explosions may occur when pressurized oxidizers come into contact with grease or oil.
2. Cylinders containing oxygen or oxidizing gasses (empty or full) should be separated from cylinders containing flammable gasses by a minimum distance of 20 feet or by a barrier at least 5 feet high having a fire-resistance rating of at least one-half hour; e.g., a concrete block wall.
3. Do not store oxidizing gasses near flammable solvents, combustible materials or near unprotected electrical connections, heat sources or sources of ignition.

8.10 Special Precautions for Using Corrosive Gasses

In addition to the general guidelines, the following measures should be taken when handling corrosive gasses:

1. Cylinders containing corrosive chemicals should be periodically checked to ensure that the valve has not corroded. If a cylinder or valve is noticeably corroded, the gas vendor should be contacted and the gas vendor's instructions followed. Any other damage that might impair the integrity of the cylinder should be called to the attention of the gas vendor before the cylinder is returned.
2. The user should be cautious if flow does not immediately start when a valve is opened slightly, as there could be a plug in the valve. If there is a plug in the valve and the valve is opened more, the plug could clear suddenly, with unexpected excessive flow.

8.11 Gas Categories

Corrosive - Gasses that corrode material or tissue with which they come in contact, or do so in the presence of water, are classified as corrosive. They can also be reactive and toxic and/or flammable or an oxidizer.

Flammable - Gasses that, when mixed with air at atmospheric temperature and pressure, form a flammable mixture at 13% or less by volume, or have a flammable range in air of greater than 12% by volume regardless of the lower flammable limit, are classified as flammable. They can be high-pressure, toxic, and reactive and displace oxygen in air. A change in temperature, pressure or oxidant concentration may vary the flammability range considerably.

Inert - Gasses that do not react with other materials at ordinary temperature and pressure are classified as inert. They are colorless and odorless, as well as nonflammable and nontoxic. The primary hazard of these gasses is pressure. These gasses are often stored at pressures exceeding 2,000 psi. Also, they can displace the amount of oxygen necessary to support life when released in a confined place. Use of adequate ventilation and monitoring of the oxygen content in confined places will minimize the danger of asphyxiation.

Oxidizer - Gasses that do not burn but will support combustion are classified as oxidants. They can be high-pressure, toxic and reactive, and can displace breathing oxygen from air.

Toxic - Gasses that may produce lethal or other harmful effects on humans are classified as toxic. They can be high pressure, reactive, nonflammable or flammable, and/or oxidizing in addition to their toxicity. The degree of toxicity and the effects will vary depending on the gas.

8.12 Characteristics of Specialty Gasses

Gas	Flammable Limits in Air (Vol. %) (1)	Oxidizer	Inert	Corrosive	Toxic
Acetylene	2.5 - 100				
Air		X			
Butane	1.8 - 8.4				
Carbon Dioxide			X		
Nitrogen			X		
Helium			X		
Oxygen		X			
Propane	2.1 - 9.5				
Chlorine				X	X

(1) Flammable limits are at normal atmospheric pressure and temperature.
(2) Corrosive in presence of moisture.
(3) Toxic. It is recommended that the user be thoroughly familiar with the toxicity and other properties of this gas.

Section: 9

Lyon County Contractor Safety Program

9.01 Purpose

To ensure that contractors hired by Lyon County are working safely and in accordance with Federal, State, and Local regulations, and Lyon County procedures. This procedure applies to all contractors who do construction or maintenance activities on the building and/or equipment, and long-term contractors that provide janitorial services, etc.

9.02 Contractor Responsibilities

- TRAINING & CERTIFICATION: Contractor supervisors must handout copies of this program and review it with their employees (including subcontractors), complete a Contractors Safety Certification Form for each project, and submit the completed and signed forms to the Project Manager at the site. Long-term contractors shall complete this form annually and return it to the department that hired them. Departments must submit copies of these completed forms to the County Risk Manager.

- HOUSEKEEPING: Work area must be kept in a neat and orderly condition at all times. All trash and debris must be removed from the work area at the end of each day and at the conclusion of every project. Skids must be stacked at a location designated by the Project Manager or department supervisors and disposed of by the contractor at reasonable intervals.

- PERSONAL PROTECTIVE EQUIPMENT: The contract company and any of its subcontractors are required to provide proper PPE (hard hats, safety glasses, safety gloves, etc.) for their personnel.

- FALL PROTECTION: Proper fall protection methods must be used and provided by contractors (i.e. man lifts, scaffolding, guardrails, body harness with lanyards, etc. per OSHA regulations) to protect contractors from falls. OSHA construction regulation (1926.451) requires an on-site "competent person" to certify erection/modification of scaffolding and inspect for visible defects before each work shift.

- CONFINED SPACES: Contractors will be informed by the Project Manager or department supervisors of any confined spaces and permit required for confined spaces in the work area. Only trained personnel are allowed to work in confined spaces per OSHA.

- HOT WORK: All hot work (welding, cutting, etc.) which involves flame, spark, or heat REQUIRES authorization from the Project Manager or department supervisors prior to start of work so that the area is inspected for any fire hazards. Project Managers or department supervisors will ensure contractors follow Lyon County' hot work policy and permit system as detailed in our Hot Work Program. A fire watch must be conducted by the contractor during hot work operations and for a minimum of thirty (30) minutes after work is complete, unless a longer period is required by regulations or the circumstances.~~.~~

- SMOKING**:** No smoking is allowed in any building - use only designated exterior areas.

- INDOOR AIR QUALITY: Dust and debris must be kept at a minimum, ventilation to the outside must be provided where needed, and air intake vents must be isolated so that proper

indoor air quality is maintained in Lyon County facilities. Employees will be informed by supervisors ahead of time regarding efforts to maintain proper indoor air quality to minimize complaints.

- LOCKOUT/TAGOUT: During any work on electrical / powered equipment, the equipment must be de-energized in accordance with Lyon County' "Lockout and Tagout Program." This program establishes procedures for energy isolation of equipment to prevent accidental injury during shutdown, startup, or maintenance. Failure to lock out equipment will result in immediate action that could result in termination of the contract.

- CHEMICAL SAFETY: Lyon County maintains a Hazard Communication Program (HAZCOM) for its employees and outside contractors. Material Safety Data Sheets (MSDSs)/Safety Data Sheets (SDS's) and a copy of the written program are available for review. The contractor agrees to adhere to all applicable requirements designated in the written HAZCOM plan and County's policies. MSDSs/SDSs must be maintained on-site for any chemicals brought into the facility by the contractor/subcontractor.

- HAZARDOUS WASTE DISPOSAL: Any hazardous waste generated as a result of contractor operations must be kept onsite and disposed of with approval by Lyon County, as we are liable for wastes generated on our site, whether by contractors or employees. No disposal of any waste is allowed on parking lots, grass, drains, sinks, toilets, etc.

- WORK BARRICADES: Work areas must be properly isolated from areas occupied by employees using appropriate barricades such as fencing, walls, etc. in order to keep County employees outside of the work zone. Signs must be posted stating that only authorized personnel are allowed in the work zone.

- PARKING LOT/WALKWAY SAFETY: Directional signs must be placed around employee parking lots to ensure employees are segregated from construction vehicles and equipment and to direct contractors where they can place their vehicles and equipment. Employee walkways at County facilities must also have appropriate signage and barricades.

- OUTSIDE EQUIPMENT: Contractor equipment left outside County facilities overnight must be properly secured and barricaded from access by general public (i.e. children).

- EXCAVATION: Contractors must contact the Project Manager, and USA DIGS (USA North 811) prior to any excavation to ensure underground utilities are properly located. All required permits must be in place prior to start of work.

- STATE, FEDERAL and LOCAL LAW AND REQUIREMENTS: Contractors must comply with all Federal, State, and Local regulations, including, but not limited to, a 10 hour or 30 hour OSHA Training required by Assembly Bill 148

9.03 Project Managers/Dept. Safety Coordinators Responsibilities

- Provide copies of the Contractor Safety Program to the Contractors; maintain the Contractor Safety Program Certification Forms.

- Provide the contractor/subcontractor with the specific emergency procedures for the facility and the hazards of specific areas, as outlined in the certification form.
- Provide copies of Lyon County's LOCKOUT/TAGOUT and HAZCOM programs to contractors. Location of MSDSs/SDSs will also be provided as requested.
- Ensure hazardous waste is properly disposed of from the construction project by contractors.
- Inspect contractor work sites periodically to ensure contract personnel are working safely and following established procedures. Use the Construction Safety Check List for weekly reviews.
- Communicate to employees regarding efforts to maintain proper indoor air quality during the project.
- Coordinate with the contractor to provide proper signs & barricades around parking lots and walkways to ensure employees are segregated from the construction work and storage zones.
- Ensure a fire watch is conducted during any hot work.
- Coordinate any excavation with the Construction Manager prior to the start of work.
- Ensure contractors & subcontractors provide current insurance certificates with a minimum of $1,000,000 coverage each for general liability, auto liability, and employers' liability (which is included with Workers Compensation coverage). If insurance were to expire before the contract work is completed, the contractor must show a good faith effort that a renewal of the insurance is being obtained.

9.04 Safety Coordinators Responsibility

- Review the projects with the Project Manager and the Contractor and recommend any additional safety requirements as needed.
- Maintain a master list of the certification forms.

9.05 References

OSHA 29 CFR 1910~~.38~~

~~OSHA 29 CFR 1910.1200~~

~~OSHA 29 CFR 1910.147~~

OSHA 29 CFR 1926~~.98~~

9.06 Definitions

SDSs: (Safety Data Sheets) - written safety information on a particular hazardous material developed by the manufacturer or importer of the material.

PPE: (Personal Protective Equipment) - equipment such as hard hats, safety glasses, safety gloves, etc.

9.07 Forms

- Form 9.07A Contractors Certification
- Form 9.07B Contractor Safety Checklist

Form 9.07A

CONTRACTOR SAFETY PROGRAM
CERTIFICATION FORM

Project Name:_____

Location:_____

Contractor Name:_____

Co. Phone #_____

Contractor Contact:_____

County Contact:_____

Start Date:_____

Completion Date:_____

Description of Work:

_____

_____

_____

_____

_____

I have received, read, and understand the requirements as specified in the written Contractor Safety Program, as well as applicable local, state, and federal government regulations. All personnel and subcontractors who work on this job will be properly trained to comply with these requirements. I also certify that Lyon County has:

1) Provided the opportunity to all contractor employees to review available SDSs in areas of anticipated work;

2) Explained applicable company environmental & safety policies, especially in areas where chemical products are used; and

3) Informed the contractor of the specific lockout/tagout procedures for any equipment installation or maintenance required at this location. Lyon County and the contractor certify that each has been informed of their respective lockout/tagout procedures. The contractor will ensure that its employees will adhere to all appropriate lockout/tagout procedures established by Lyon County and the contractor to safely complete contractor services.

_____	_____	_____
Contractor Representative	Lyon County Authorized Representative	Date

Form 9.07B

CONSTRUCTION SAFETY CHECKLIST

Name of Inspector_____ Date_____
Location_____ **Time**_____
Contractors(s) on site_____

Instructions: Project Managers should complete this inspection weekly during the construction project(s).

Floors and Walkways

Y	N	
☐	☐	1. All employees meet the required 10 hour or 30 hour OSHA training and have the required completion card with them as spelled out in Assembly Bill 148 (AB 148)?
☐	☐	2. Cords, hoses or other equipment removed from employee walkways and stairs?
☐	☐	3. Floor openings guarded by a cover or sturdy guardrail on all sides?
☐	☐	4. All tools & equipment stored properly to reduce overhead fall hazards? Materials/tool boxes not stored in front of electrical panels, fire hoses, or exits?
☐	☐	5. Floors and stairs clean and free of grease, liquids, oil, or debris?
☐	☐	6. Work areas and employee walkway areas clearly marked and barricaded?
☐	☐	7. All exits and stairs clear and unlocked, and exits properly marked with exit signs?
☐	☐	8. Toe boards, midrails and top rails provided around all 4 sides of an elevated platform?
☐	☐	9. Railings are sturdy, with access gates self-closing & locking?
☐	☐	10. All pedestrian traffic restricted during overhead crane/hoist use or other overhead work?
☐	☐	11. General housekeeping satisfactory?

Fall Protection

Y	N

☐ ☐ 12. Non-metal ladders used near electrical hazards? Ladders tied off at the top and at proper angle? Condition of ladder OK?

Y N

☐ ☐ 13. Scaffolding installed and regularly inspected by "competent person" that has training and experience in scaffolding, per OSHA regs?

☐ ☐ 14. Contractors utilizing fall protection methods (railings, body harness, etc.) for work above 6 feet?

Hot Work/Welding

Y N

☐ ☐ 15. Hot work permit issued and posted near area of hot work? Work area inspected for fire hazards before work started? Lyon County supervisors informed of any sprinkler/fire protection shutoff in their area?

☐ ☐ 16. Adequate shielding from arc and sparks provided for employees walking by? Warning signs posted and area roped off?

☐ ☐ 17. Fire watch provided by contractor? Extinguisher on hand for fire watch? Emergency procedures reviewed with contractor (i.e. evacuation routes, fire alarm signal, etc.)?

☐ ☐ 18. Surfaces in proximity of welding been cleaned of paper dust, ink mist and other combustibles?

☐ ☐ 19. Gas cylinders secured upright & chained? Stored way from heat sources and caps on?

☐ ☐ 20. Welding fumes properly vented to outside and not into building air intake vents?

☐ ☐ 21. Flammables/combustibles stored away from hot work and other heat sources?

Chemicals/Waste

Y N

☐ ☐ 22. All chemical containers have appropriate Hazcom GHS labels, SDS and stored inside building?

☐ ☐ 23. Hazardous wastes generated by contractors not thrown in dumpster?

Misc. Safety Issues

Y N

☐ ☐

24. Contractors following proper **Lockout/Tagout** procedures?

Y	*N*	
☐	☐	25. All exposed electrical conductors and junction boxes properly guarded and covered?
☐	☐	26. Outdoor activities (trenches, equipment storage, etc.) that present hazards to employees/public minimized?
☐	☐	27. Parking lot and walkways barricaded from contractor equipment?
☐	☐	28. No smoking indoors or near combustibles, and no eating near chemicals?

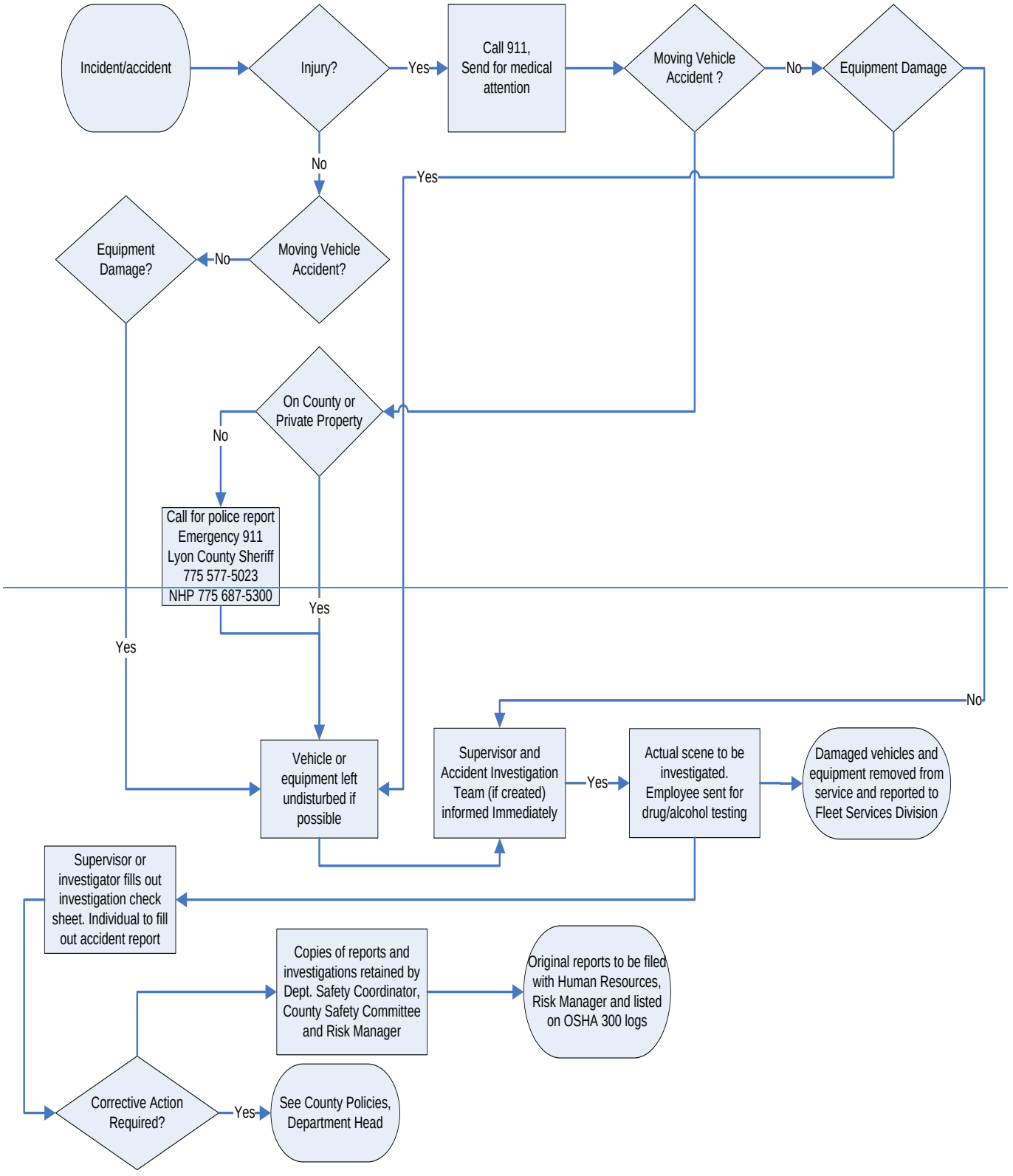
General Comments & Explanations

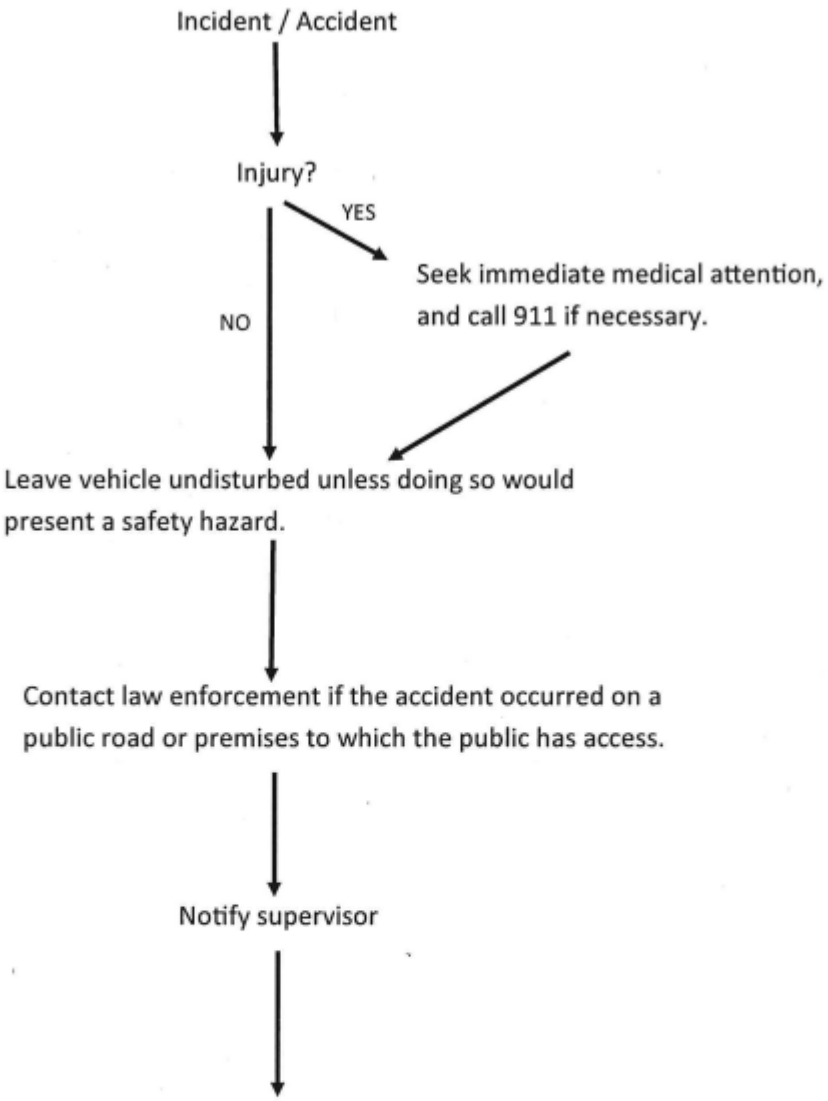
Follow up Instructions:
A copy of this report should be kept by the specific department's safety coordinator and the project manager. This report should be brought to each construction meeting.

Section: 10

Lyon County Accident Investigation Program

10.01 Incident, Injury, Accident Flow Chart


Incident/accident
Injury?
Yes
Call 911, Send for medical attention
Moving Vehicle Accident ?
No
Equipment Damage
No
Yes
Equipment Damage?
No
Moving Vehicle Accident?
On County or Private Property
No
Call for police report
Emergency 911
Lyon County Sheriff
775 577-5023
NHP 775 687-5300
Yes
Yes
No
Vehicle or equipment left undisturbed if possible
Supervisor and Accident Investigation Team (if created) informed Immediately
Yes
Actual scene to be investigated. Employee sent for drug/alcohol testing
Damaged vehicles and equipment removed from service and reported to Fleet Services Division
Supervisor or investigator fills out investigation check sheet. Individual to fill out accident report
Copies of reports and investigations retained by Dept. Safety Coordinator, County Safety Committee and Risk Manager
Original reports to be filed with Human Resources, Risk Manager and listed on OSHA 300 logs
Corrective Action Required?
Yes
See County Policies, Department Head



Supervisor responsibilities:

- ☑ Contact Human Resources to determine whether post-accident drug test is required.
- ☑ If employee is injured, complete **Injured Worker Packet** and send to Human Resources.
- ☑ Ensure **Notice of Loss** is completed and send to Risk Manager.
- ☑ Report incident to Fleet Services.
- ☑ Complete **After Action Review** and send to Human Resources.

⇒ Referral to Safety Committee for discussion if appropriate.

10.02 Injury/Accident Investigation Form

Accident Investigation Form

Date _____ Time _____ Person(s) injured: _____
Describe Injury _____
Describe property damage _____
Describe activities, or job being perform: _____

CAUSE FACTORS					
Y	N	**PROCEDURES**	Y	N	**OTHER FACTORS (Cont.)**
		Are procedures established			Was confined space entered (attach CSE permit)
		Are procedures written			Was trenching being performed (attach trench checklist)
		Was employee familiar with procedure			
		Was supervisor familiar with procedure			**LIFTING**
		Were procedures followed			Was the item under other equipment
					Was the item stuck
		EQUIPMENT and TOOLS			Was the item too heavy
		Was the proper equipment used			Was item in awkward position
		Was the proper equipment available			Was help requested/received
		Was the proper equipment on site			Was help available
		Was the equipment properly maintained			
		Was the employee trained to operate the equipment			**PERSONAL PROTECTIVE EQUIPMENT**
					Was PPE available
		Were the proper tools used			Was PPE used
		Were the proper tools available			Was PPE appropriate for the job
		Were the proper tools on site			Was PPE properly maintained
		Were the tools properly maintained			Were respirators used
					Were employees trained on use of PPE
		TRAINING/EXPERIENCE			
		Was employee trained for task			**SUPERVISION**
		Was training documented			Was supervisor at site
		Was employee deficient in skill or ability			Was supervisor aware of hazards
					Did supervisor advise employees of hazard(s)
		Has employee accomplished this task before			Was a pre-work meeting conducted
		Employee had ( ) mo/yr experience			Were enough personnel assigned to the task
		OTHER FACTORS			Was appropriate equipment assigned to the task
		Were allergies, hearing, eyesight, or inadequate strength factors			
		Was fatigue a factor (overtime or second job)			**SITE CONDITIONS**
		Did employee suffer heat exhaustion			Were dust and/or vapors present
		Were drugs or alcohol a factor			Were high levels of noise present
		Was stress a factor (job or other)			Was lighting adequate
		Was lockout/tagout performed			Was adverse weather a factor (wind, temp., rain)
		Was work performed along roadway			Were proper safeguards in place
		Were warning signs, devices, and/or flaggers used			Was terrain loose or wet
Comments:					
Findings:					
Recommended Corrective Actions:					
Corrective actions taken/date implemented:					



ACCIDENT INVESTIGATION REPORT

Attention: This form contains private health information. It is intended to be used for the purpose of analyzing how occupational injuries and illnesses occur, how they could have been prevented, and what if any remedial action may be taken. Unless otherwise provided by Lyon County policy, applicable law, or a duly issued subpoena or court order, the information contained in this form is confidential and shall not be shared with anyone who does not have a need to know in connection with the process identified above.

Investigator Information:

Note: Where practicable, it is recommended that fact-gathering be conducted by supervisory personnel who are not witnesses or otherwise directly involved in the incident.

Investigator(s): _____

Investigation date(s): _____ ***Employee***

Information:

Employee name: _____

Job title: _____

Date(s) of incident: _____ Time: _____

Exact location of incident: _____

Witnesses: _____

Accident/Injury/Illness Information:

1. Describe the incident (in the sequence that events occurred):

2. Describe the injury or illness. Also describe any property damage.

3. Specify any hazardous condition(s), equipment, and/or substance(s) that caused or contributed to the cause of the incident.

4. Specify any unsafe human action(s) that caused or contributed to the cause of the incident.

5. Additional questions relating to the cause of the incident:

Was the incident a result of violation of established safety policies? Yes☐No☐

If yes, identify the policies and explain:

Has the employee received training to perform this procedure safely? Yes☐No☐

If no, explain:

Was adequate personal protective equipment provided for the required tasks? Yes☐No☐

If no, explain:

Are changes necessary in the operations or procedures to prevent this type of incident in the future? Yes☐No☐

If yes, explain:

Discuss any additional policies, personal factors, and environmental factors that led to hazardous conditions or unsafe acts:

Recommended Corrective Actions:

Recommendations for corrective action(s):

Person(s) responsible for corrective action(s) and timeframe for completion:

Referral to Safety Committee? Y ☐ / N ☐

Note: Incidents should be referred to the Safety Committee if they involve serious injuries, unsafe practices, inadequate policies, complex issues, or other circumstances for which the Committee's deliberation would be appropriate.

Investigator Signature(s): _____

_____

Date: _____

10.03 Notice of Loss/Accident Form

NOTICE OF LOSS/ACCIDENT

TYPE OF LOSS	AUTO		LIABILITY		PROPERTY	

INSURED

	CLAIM NUMBER	
	PERSON TO CONTACT	PHONE

LOSS

DATE AND TIME	AM PM	LOCATION
DESCRIPTION OF LOSS		

MOTOR VEHICLE ACCIDENT

MEMBER VEHICLE YEAR, MAKE MODEL	LICENSE NUMBER	VIN (VEHICLE IDENTIFICATION #)
DRIVER'S NAME AND ADDRESS		DEPARTMENT

DRIVER'S LICENSE NUMBER	DRIVERS AGE	RESIDENCE PHONE ( )	BUSINESS PHONE ( )
DESCRIPTION OF DAMAGE	WHERE VEHICLE CAN BE SEEN		UNIT NUMBER

PROPERTY DAMAGE

DESCRIBE PROPERTY (IF AUTO – YEAR, MAKE, MODEL, PLATE #)	COMPANY, AGENCY AND POLICY #
DRIVER'S NAME & ADDRES – INDICATE "SAME" IF SAME AS OWNER	RESIDENCE PHONE ( ) / BUSINESS PHONE ( )

DESCRIBE DAMAGE	ESTIMATE AMOUNT $	WHERE PROPERTY CAN BE SEEN	FIRE, HAIL, ETC.

INJURED

NAME AND ADDRESS	PHONE	PED	INS VEH	OTHER VEH	AGE	HOSPITAL & DOCTOR	DESCRIBE INJURY

WITNESSES OR PASSENGERS

NAME AND ADDRESS	PHONE	INS VEH	OTHER VEH	OTHER (SPECIFY)

POLICE

POLICE INVESTIGATE YES ☐ NO ☐	POLICE AGENCY	CHAGRES?	INVESTIGATING OFFICER	REPORT NUMBER

LIABILITY

ALEGED OFFENSE	OFFICIALS INVOLVED	
CLAIMANT – NAME AND ADDRESS	RESIDENCE PHONE ( )	BUSINESS PHONE ( )
REMARKS		

DATE	REPORTED BY	REPORTED TO	SIGNATURE

10.04 Investigation Records

1. Copies of all completed accident investigation forms must be mailed to Lyon County's Human Resources Department 27 South Main Street, Yerington NV. 89447, injury illness to Human Resources, property loss to Comptroller.

2. Lyon County's Risk Manager along with Human Resources will trend all recorded accidents for the entire County quarterly. This is done to look for patterns and areas that can be improved to avoid future repetition of similar accidents. Lyon County's Safety Committee will review these trends and make recommendations based on their findings.

Section: 11

Lyon County Safety Walkthrough, New Employee Orientation, OSHA 300, & 300A Forms

11.01 Inspection Form

Walkthrough Inspection

Facility being inspected_____
Name of person conducting inspection_____
Date_____

Machinery
____Safety guards in place
____Oil leaks
____Loose wiring
____Is there any machinery blocked
____Is there any machinery needing service

Housekeeping
___Aisles, stairs, and floors clear and clean
___Storage of materials orderly with ample aisle space
___Disposal of waste
___Lighting and ventilation
___Are yards and parking areas clear of debris, oil, or any big holes

Tools
___Proper use of tools and storage

First Aid
___Are first aid kits supplied
___Emergency eye wash stations checked

Fire Protection
___Are all fire extinguishers properly charged, pressurized, in good condition, and readily accessible
___Are any fire extinguishers missing
___Are all fire exits clearly marked and sign lights working
___Are any fire sprinklers obstructed

Personal Protective Equip.
___Goggles, glasses, face shields
___Gloves
___Hearing protection

Miscellaneous
___Are outside lights working
___Is there proper clearance in front of electric panels
___MSDS/SDS sheets available
___Dust, vapors, fumes?
___Flammable liquids stored and marked properly

Notes from Walkthrough inspection (items that require action and completion date)**:**

Issue	**Completed by, date**

Reported to supervisor on:_____ Supervisors signature:_____

11.02 Employee Orientation

New/Temporary Employee Checklist/ Job Safety Analysis (JSA)			
To be covered the first day of employment		**Date Covered**	**Covered by**
Awareness of Lyon County's Comprehensive Safety			
Awareness of Lyon County DOT Drug & Alcohol Testing Policy (if applicable)			
Complete E-Learning Compliance training			
Written Safety Program			
Hazardous Energy Control "Lockout/Tagout" Program			
Confined Space Program			
Hazardous Communication Program			
Bloodborne Pathogens Program			
Personal Protective Equipment			
Hot work and Permit			
Compressed Gas			
Contractor Safety			
Accident Investigation			
Logs and forms			
Dress code			
SDS locations			
Unsafe condition reporting			
Department Specific areas of safety			
Lyon County's vehicle use policy			
Lyon County's accident/incident reporting policy			
Housekeeping responsibilities			
Use of ladders			
Gathering Areas			
Employee's Name (Print)	Employee's Signature		Date:
Supervisor's Name (Print)	Supervisor's Signature		Date:

Note: The current version of this document is kept on file with Lyon County Human Resources Department 27 South Main Street, Yerington, NV 89447.

OSHA's Form 300 (Rev. 01/2004)

Log of Work-Related Injuries and Illnesses

Attention: This form contains information relating to employee health and must be used in a manner that protects the confidentiality of employees to the extent possible while the information is being used for occupational safety and health purposes.

Year 20___

U.S. Department of Labor
Occupational Safety and Health Administration
Form approved OMB no. 1218-0176

You must record information about every work-related death and about every work-related injury or illness that involves loss of consciousness, restricted work activity or job transfer, days away from work, or medical treatment beyond first aid. You must also record significant work-related injuries and illnesses that are diagnosed by a physician or licensed health care professional. You must also record work-related injuries and illnesses that meet any of the specific recording criteria listed in 29 CFR Part 1904.8 through 1904.12. Feel free to use two lines for a single case if you need to. You must complete an Injury and Illness Incident Report (OSHA Form 301) or equivalent form for each injury or illness recorded on this form. If you're not sure whether a case is recordable, call your local OSHA office for help.

Establishment name _____

City _____ State _____

Identify the person			Describe the case			Classify the case (CHECK ONLY ONE box for each case based on the most serious outcome for that case)				Enter the number of days the injured or ill worker was:		Check the "injury" column or choose one type of illness:					
(A) Case no.	(B) Employee's name	(C) Job title (e.g., Welder)	(D) Date of injury or onset of illness	(E) Where the event occurred (e.g., Loading dock north end)	(F) Describe injury or illness, parts of body affected, and object/substance that directly injured or made person ill (e.g., Second degree burns on right forearm from acetylene torch)	Death (G)	Days away from work (H)	Job transfer or restriction (I)	Other recordable cases (J)	Away from work (K)	On job transfer or restriction (L)	(M) Injury (1)	Skin disorder (2)	Respiratory condition (3)	Poisoning (4)	Hearing loss (5)	All other illnesses (6)
			month/day			☐	☐	☐	☐	____ days	____ days	☐	☐	☐	☐	☐	☐

11.04 OSHA Form 300A

Note: The current version of this document is kept on file with Lyon County Human Resources Department 27 South Main Street, Yerington, NV 89447.

OSHA's Form 300A (Rev. 01/2004)

Summary of Work-Related Injuries and Illnesses

Year 20__

U.S. Department of Labor
Occupational Safety and Health Administration
Form approved OMB no. 1218-0176

All establishments covered by Part 1904 must complete this Summary page, even if no work-related injuries or illnesses occurred during the year. Remember to review the Log to verify that the entries are complete and accurate before completing this summary.

Using the Log, count the individual entries you made for each category. Then write the totals below, making sure you've added the entries from every page of the Log. If you had no cases, write "0."

Employees, former employees, and their representatives have the right to review the OSHA Form 300 in its entirety. They also have limited access to the OSHA Form 301 or its equivalent. See 29 CFR Part 1904.35, in OSHA's recordkeeping rule, for further details on the access provisions for these forms.

Number of Cases			
Total number of deaths	Total number of cases with days away from work	Total number of cases with job transfer or restriction	Total number of other recordable cases
(G)	(H)	(I)	(J)

Number of Days	
Total number of days away from work	Total number of days of job transfer or restriction
(K)	(L)

Injury and Illness Types			
Total number of . . .	(M)		
(1) Injuries		(4) Poisonings	
		(5) Hearing loss	
(2) Skin disorders		(6) All other illnesses	
(3) Respiratory conditions			

Post this Summary page from February 1 to April 30 of the year following the year covered by the form.

Public reporting burden for this collection of information is estimated to average 58 minutes per response, including time to review the instructions, search and gather the data needed, and complete and review the collection of information. Persons are not required to respond to the collection of information unless it displays a currently valid OMB control number. If you have any comments about these estimates or any other aspects of this data collection, contact: US Department of Labor, OSHA Office of Statistical Analysis, Room N-3644, 200 Constitution Avenue, NW, Washington, DC 20210. Do not send the completed forms to this office.

Establishment information

Your establishment name _____

Street _____

City _____ State ____ ZIP ____

Industry description (e.g., *Manufacture of motor truck trailers*)

_____

Standard Industrial Classification (SIC), if known (e.g., 3715)

___ ___ ___ ___

OR

North American Industrial Classification (NAICS), if known (e.g., 336212)

___ ___ ___ ___ ___ ___

Employment information (*If you don't have these figures, see the Worksheet on the back of this page to estimate.*)

Annual average number of employees _____

Total hours worked by all employees last year _____

Sign here

Knowingly falsifying this document may result in a fine.

I certify that I have examined this document and that to the best of my knowledge the entries are true, accurate, and complete.

Company executive _____ Title

( ) . Phone

/ / Date

11.05 C-1 Incident/Injury Illness Reporting Form

Note: This document must be completed within 7 days after the accident, and sent immediately to: Lyon County Human Resources Department 27 South Main Street, Yerington, NV 89447.

"NOTICE OF INJURY OR OCCUPATIONAL DISEASE"
(Incident Report)
Pursuant to NRS 616C.015

Name of Employer _____

Name of Employee		Social Security Number	Telephone Number
Date of Accident (if applicable)	Time of Accident (if applicable)	Place where accident occurred (if applicable)	
What is the nature of the injury or occupational disease?		List any body parts involved:	
Briefly describe accident or circumstances of occupational disease: (Note: if you are claiming an occupational disease, indicate the date on which employee first became aware of connection between condition and employment)			
Names of witnesses:			
Did the employee leave work because of the injury or occupational disease? ____ YES ____ NO	If yes, when (date and time)?	Has the employee returned to work? ____ YES ____ NO	If yes, when (date and time)?
Was first aid provided? ____ YES ____ NO	If yes, by whom?	Name and address of treating physician, if applicable or known	
Did the accident happen in the normal course of work? (if applicable) ____ YES ____ NO			
Was anyone else involved? ____ YES ____ NO	Names of others involved		

MY EMPLOYER/INSURER MAY HAVE MADE ARRANGEMENTS TO DIRECT ME TO A HEALTH CARE PROVIDER FOR MEDICAL TREATMENT OF MY INDUSTRIAL INJURY OR OCCUPATIONAL DISEASE. I HAVE BEEN NOTIFIED OF THESE ARRANGEMENTS.

Supervisor's Signature Date Signature of Injured or Disabled Employee Date

TO FILE A CLAIM FOR COMPENSATION, SEE REVERSE SIDE, SECTION ENTITLED, CLAIM FOR COMPENSATION (FORM C-4).

For assistance with Workers' Compensation Issues you may contact the Office of the Governor Consumer Health Assistance Toll Free: 1-888-333-1597 Web site: http://govcha.state.nv.us E-mail cha@govcha.state.nv.us

Employee should sign, date and retain a copy.
Original to Employer, Copy to Employee

C-1 (Rev. 10-03)

11.06 C-3 Incident/Injury Illness Form Requiring Medical Attention

Note: This document must be filled out as soon as possible and forwarded to Lyon County Human Resources Department 27 South Main Street, Yerington, NV 89447. There is a 6 day time limit.

TO AVOID PENALTY, THIS REPORT MUST BE COMPLETED AND MAILED TO THE INSURER WITHIN 6 WORKING DAYS OF RECEIPT OF THE C-4 FORM

Please Type or Print

EMPLOYER'S REPORT OF INDUSTRIAL INJURY OR OCCUPATIONAL DISEASE

alternative Service Concepts L.L.C. 1755 E. Plumb Lane, #267
1-800-291-6826 Fax 775-329-7418 Reno, Nevada 89502

EMPLOYER

Employer's Name	Nature of Business (mfg., etc.)	FEIN	OSHA Log #
Office Mail Address	Location . . . If different from mailing address		Telephone
City State Zip	INSURER		THIRD-PARTY ADMINISTRATOR alternative Service Concepts L.L.C.

EMPLOYEE

First Name M.I. Last Name	Social Security	Birthdate	Age	Primary Language Spoken
Home Address (Number and Street)	Sex ☐ Male ☐ Female	Marital Status ☐ Single ☐ Married ☐ Divorced ☐ Widowed		
City State Zip	Was the employee paid for the day of injury? (If applicable) ☐ Yes ☐ No		How long has this person been employed by you in Nevada?	
In which state was employee hired?	Employee's occupation (job title) when hired or disabled		Department in which regularly employed:	
Telephone	Is the injured employee a corporate officer? ☐ Yes ☐ No . . . sole proprietor? ☐ Yes ☐ No . . . partner? ☐ Yes ☐ No		Was employee in your employ when injured or disabled by occupational disease (O/D)? ☐ Yes ☐ No	

ACCIDENT OR DISEASE

Date of Injury (if applicable)	Time of injury (Hours; Minute AM/PM) (if applicable)	Date employer notified of injury or O/D	Supervisor to whom injury or O/D reported
Address or location of accident (Also provide city, county, state) (if applicable)			Accident on employer's premises? (if applicable) ☐ Yes ☐ No
What was this employee doing when the accident occurred (loading truck, walking down stairs, etc.)? (if applicable)			
How did this injury or occupational disease occur? Include time employee began work. Be specific and answer in detail. Use additional sheet if necessary.			

INJURY OR DISEASE

Specify machine, tool, substance, or object most closely connected with the accident (if applicable)		Witness	Was there more than one person injured in this accident? (if applicable) ☐ Yes ☐ No
Part of body injured or affected	If fatal, give date of death	Witness	
Nature of Injury or Occupational Disease (scratch, cut, bruise, strain, etc.)		Witness	
		Did employee return to next scheduled shift after accident? (if applicable) ☐ Yes ☐ No	Will you have light duty work available if necessary? ☐ Yes ☐ No
If validity of claim is doubted, state reason		Location of Initial Treatment	
Treating physician/chiropractor name		Emergency Room ☐ Yes ☐ No	Hospitalized ☐ Yes ☐ No

IMPORTANT

How many days per week does employee work?	From ☐ am ☐ pm To ☐ am ☐ pm	Last day wages were earned
Scheduled days off S ☐ M ☐ T ☐ W ☐ T ☐ F ☐ S ☐ Rotating ☐	Are you paying injured or disabled employee's wages during disability? ☐ Yes ☐ No	

IMPORTANT LOST TIME INFO

Date employee was hired	Last day of work after injury or disability	Date of return to work	Number of work days lost
Was the employee hired to work 40 hours per week? ☐ Yes ☐ No	If not, for how many hours a week was the employee hired?	Did the employee receive unemployment compensation any time during the last 12 months? ☐ Yes ☐ No	☐ Do not know

For the purpose of calculation of the average monthly wage, indicate the employee's gross earnings by pay period for 12 weeks prior to the date of injury or disability. If the injured employee is expected to be off work 5 days or more, attach wage verification form (D-8). Gross earnings will include overtime, bonuses, and other remuneration, but will not include reimbursement for expenses. If the employee was employed by you for less than 12 weeks, provide gross earnings from the date of hire to the date of injury or disability.

Pay period ends on: ☐ SUN ☐ TUE ☐ THUR ☐ SAT ☐ MON ☐ WED ☐ FRI	Employee is paid: ☐ WEEKLY ☐ MONTHLY ☐ OTHER ☐ BI-WKLY ☐ SEMI-MONTHLY	On the date of injury or disability the employee's wage was: $ per ☐ Hr ☐ Day ☐ Wk ☐ Mo

For assistance with Workers' Compensation Issues you may contact the Office of the Governor Consumer Health Assistance Toll Free: 1-888-333-1597 Web site: http://govcha.state.nv.us E-mail cha@govcha.state.nv.us

★ I affirm that the information provided above regarding the accident and injury or occupational disease is correct to the best of my knowledge. I further affirm the wage information provided is true and correct as taken from the payroll records of the employee in question. I also understand that providing false information is a violation of Nevada law.

Employer's Signature and Title	Date

Insurer Use Only

Claim is: ☐ Accepted ☐ Denied ☐ Deferred ☐ 3rd Party	Deemed Wage	Account No.	Class Code
Claims Examiner's Signature	Date	Status Clerk	Date

Form C-3 (rev.11/05) **ORIGINAL – EMPLOYER** **PAGE 2 – INSURER/TPA** **PAGE 3 – EMPLOYEE**

Section: 12

Lyon County's Workplace Violence Program

12.01 Purpose

Workplace violence includes any physical assault, verbal abuse, or threatening behavior that occurs in the workplace. The workplace is any location (permanent or temporary) where an employee performs any work-related duty. This includes, but is not limited to, buildings and the surrounding perimeters including the parking lots, field locations, and traveling to and from work assignments.

Violence or threats of violence include any activity by an individual that results in harm to an employee or causes an employee to feel unsafe due to the threat of harm. Violence may take the form of physical aggression, verbal threats to harm another person or damage property, or harassment including sexual harassment. Threats of violence include possession or display of a weapon of any type or exhibiting an object in such a manner that it appears to be a weapon.

There are different types of workplace violence, depending on the relationship between the employee and the person committing the violence.

1. Stranger to Employee: Violence is committed by a stranger. There is no known relationship to the employee or workplace. The stranger may enter the workplace to commit a violent act or may act outside the workplace while the employee is in the course of their job, such as making a delivery or bank deposit.
2. Customer/Citizen to Employee: Violence is committed by someone who receives a service from the County. The violence is committed in the workplace or outside the workplace, and while the employee is performing a job-related function.
3. Partner to Employee: Violence is committed by someone who has a personal relationship with the employee, such as a current or former spouse or partner, a relative, or a friend. This would include an individual who has a personal dispute with an employee and enters the workplace to harass, threaten, injure, or kill.
4. Employee to Employee: Violence is committed in or outside the workplace by a current or former employee, a prospective employee, or a current or former supervisor or manager. (***See the Lyon County Personnel Policy, Section 2.10 Prohibition of Workplace Violence***.)

Warning signals may alert you to any person who could become violent. Warning signals for potential violence include:

- Major changes in personal appearance, attitude, or behavior
- Change in personal relationships (such as the break-up of a relationship)
- Reduction in job efficiency or productivity
- History of violent, reckless, or antisocial behavior
- Unusual interest in or unexplained pre-occupation with weapons, or bringing weapons to work
- Serious stress in the employee's life (such as finances, personal, health)
- Substance abuse at work (alcohol and/or drugs)
- Increased absenteeism from work

- Unexplained signals of physical injury (such as bruises, injuries, or cuts)
- Loitering around the worksite before or after normal working hours
- Agitation
- Inability to make eye contact with co-workers or supervisors
- Unexplained interest in what you do at work (such as your schedule, procedures for handling money, or security policies)

12.02 PROCEDURES

The following procedures provide a framework to help protect employees from work related violence or threats of violence. By addressing workplace violence as preventable and manageable, practical and effective strategies can be carried out to protect employees from these risks and provide a safe workplace.

a) When it appears that an employee may be in immediate physical danger, the endangered employee or any observing employee shall notify the nearest available law enforcement agency. When action is taken the information shall be reported to the manager, supervisor and director as soon as possible.
b) When the danger of physical harm to an employee does not appear to be immediate, gather all available information and provide a full report of circumstances to the supervisor, or division manager, or director.

Usually a person does not abruptly become violent. A person's behavior gradually escalates over time. After experiencing a trigger event, the perpetrator may exhibit physical or behavioral signs that violence may be about to occur. Listed below are the three levels of violence and things to do to be safe.

Level One:
- Refuses to cooperate
- Spreads rumors
- Consistently argues
- Belligerent
- Constantly swears
- Unwanted sexual comments

Level Two:
- Argues increasingly
- Refuses to obey/Sabotages
- Verbalizes
- Sees self as victim
- Overly interested in weapons
- Hostile to clients on the telephone or face to face

Things to do for Levels One and Two:

- Stay calm, listen attentively, and ask the person to sit down

- Ask the person questions relevant to his or her complaint
- Acknowledge the person's concerns and try to find solutions
- Maintain eye contact
- Identify violent behaviors, especially before they escalate
- Set ground rules/boundaries, such as "when you shout at me, I can't understand what you are saying"
- Keep the situation in your control. Stay calm, do not react. See level 1
- Talk to your supervisor as soon as possible

Level Three:

- Suicidal threats
- Physical fights
- Destruction of property
- Use of weapon
- Commits murder, rape and/or arson

Level Three Responses: Run/Hide/Fight

If possible, the employee should run. If that is not possible, the employee should hide. If the employee cannot run or hide, they can fight/defend.

Run

- Get yourself away from the potentially violent person
- Leave belongings behind
- Once out of harms way, prevent others from entering the area
- When safe, call 911

- HideLock or barricade your door
- Turn out lights
- Silence cellphone
- Hide behind large objects
- Move away from doors and windows
- Remain quiet
    - Don't open door for anyone
    - Wait for law enforcement to identify themselves
    - Present work identification to law enforcement, when asked

Fight/Defend

- Attempt to incapacitate the assailant/killer
- Act with physical aggression
- Improvise weapons
    - i.e – pens, pencils, scissors, keys, fire extinguishers, etc.
- Commit to your actions

Law Enforcement Arrival:

Law enforcement arriving will be in attack mode, and will already be in a high-alert state. Their primary mission is to neutralize the threat, and not immediately to help the injured.

Things to expect:

- Armed people should immediately drop their weapons
- Be prepared to be handcuffed, don't argue

12.03 THREATS WILL NOT BE TOLERATED:

- Criminal definition:
  a) A person is guilty of a Class 1 misdemeanor if without lawful authority:
  1) He/she willfully threatens to physically injure the person or that person's child, sibling, spouse, or dependent or willfully threatens to damage the property of another;
  2) The threat is communicated to the other person, orally, in writing, or by any other means;
  3) The threat is made in a manner and under circumstances which would cause a reasonable person to believe that the threat is likely to be carried out; and
  4) The person threatened believes that the threat will be carried out.
- Agency procedure when threats are communicated:
  1) Notify immediate supervisor
  2) Notify local law enforcement, Lyon County Sheriffs Office or call 911
  3) File a formal complaint with the Lyon County Sheriffs Office

THINGS TO AVOID

- Do not make false statements or promises you can't keep
- Do not explain technical, complicated information when emotions are high
- Do not take sides or disagree
- Do not take remarks personally
- Do not show your anger
- Do not patronize
- Do not invade the individual's personal space
- Do not use verbal & non-verbal (body language) hostile style of communicating
- Do not make threats or dares
- Do not belittle or make the person feel foolish
- Do not criticize or act impatient
- Do not attempt to "bargain" with a threatening individual

12.04 ACTIONS ALL EMPLOYEES CAN TAKE TO ASSIST IN A THREATENING SITUATION:

- Interrupt – when you hear raised voices or arguments coming from a nearby office. Go to the employee's door and listen and to determine if it is a

threatening situation. If you feel the employee is in danger, interrupt and ask to speak to them outside.

- Always alert other employees of a possible need for help. Large office areas should use an all-call system.
- If staff observes threatening or angry behavior in a customer or citizen outside the building or in the office, or in one who has just left your presence, alert others in the building that may also have contact with the person.
- If you handle a phone call where the person is abusive, using obscene language, threatening – end the conversation but make note of the occurrence, notify your supervisor.
- When a volatile situation is imminent remove people from the office and surrounding areas as soon as possible.
- ***Each department within the County must make an individual plan for dealing with threatening or the possibility of a threatening situation developing.*** This plan should be made in conjunction with training. A good example would be the Utilities Departments use of an "all call" phone system for the main office that alerts all phone extensions of a problem in the main office.

12.05 TRAINING AND EDUCATION

Training and education ensure that all staff is aware of potential safety hazards and the procedures for protecting themselves and their co-workers. The training program will involve all employees, including supervisors and managers. New and reassigned employees will receive an initial orientation prior to assuming their job duties and required training will be provided to employees annually as required by the Lyon County Comprehensive Policies and Procedures.

Following training, supervisors and managers will be able to recognize a potentially dangerous situation and to make any necessary changes in the physical building, customer service or safety policy and procedures to address employee safety.

Section: 13

Lyon County Fleet Vehicle/Equipment Use Policy & Procedures

13.01 Policy Application and Definitions

Policy Application

This Policy applies to the operation of Lyon County's Fleet of vehicles which may include but is not limited to: sedans, vans, buses, light trucks, small equipment, heavy duty trucks, off road equipment and other mechanical equipment. Policies pertaining to the use of Lyon County Fleet vehicles and equipment are provided as an aid to Lyon County employees. Lyon County employees that are designated as Safety Sensitive DOT, (full- or part-time) are required to adhere to the Lyon County DOT Drug & Alcohol Testing Policy. Should any questions arise concerning these policies, contact the Lyon County Safety/Risk Management Officer at the Lyon County Comptroller Office 463-6510.

Definitions

i. Light Duty Vehicles - Sedans, vans, light trucks and buses designed to carry no more than 15 persons. Light Duty Vehicles requires a Nevada Class C Drivers License to operate.
ii. Heavy Duty Vehicles - Vehicles governed by Federal Motor Carrier Regulations, 49CFR. Heavy Duty Vehicles requires a Nevada Class A or B Drivers License to operate.
iii. Off Road Equipment - Motor Graders, loaders, dozers, rollers, backhoes, agricultural tractors, fork lifts. Off Road Equipment is not a regular means of transportation. Is not designed to carry passengers. Off Road Equipment requires no Nevada Drivers License, but does require extensive training to operate.
iv. Small Equipment - Lawn mowers, riding mowers, three (3) wheeled and four (4) wheeled ATVs, compactors. Is usually not a regular means of transportation. May or may not be designed to carry passengers. Small equipment may be portable or stationary. Small Equipment requires no Nevada Drivers License and usually requires only minimal training to operate.
v. Lyon County Fleet Services Maintenance Shop - Lyon County Fleet Services Maintenance Shops are located in Yerington, Silver Springs and Dayton. Lyon County Employees should contact their immediate supervisor for direction as to which Fleet Services Maintenance Shop to contact.
vi. Deficiencies - Separated into two (2) categories:
    Safety - Lighting, tires, steering, brakes, visibility or OEM safety equipment
    Non-safety - Cosmetic in nature, not affecting the road worthiness of the Vehicle or Equipment.
vii. License - A valid Nevada State driver's license appropriate for the operation of the particular vehicle on public roads.
viii. Accident - Refers to any collision involving a County vehicle with a pedestrian(s), other vehicle(s), and/or other fixed or stationary object(s), whether or not any physical damage or bodily injury occurs.
ix. Incident - Refers to non-accident personal injury or physical damage: i.e., vandalism, window or body damage from flying objects, lost or stolen vehicle parts or accessories, vehicle body damage from tire snow chains, etc.
x. Home storage - The parking of a County vehicle overnight at a personal residence.
xi. Utility - Includes employees of the Lyon County Utilities Division

13.02 Operating Practices and Procedures

Authorized Vehicle Use of Light Duty Vehicles

Use of Lyon County Light Duty Vehicles shall be allowed only after the driver's immediate supervisor has ensured that the driver has the appropriate State of Nevada driver's license. If a driver's license is revoked or allowed to expire, the supervisor shall be notified immediately by the driver. Light Duty Vehicles may be operated by the following: Lyon County employees; Board Members and volunteers pre-authorized by Risk Management; and contract employees authorized by their department head or a designee. In addition, all Lyon County Light Duty vehicles must be operated in a safe, courteous, and responsible manner and in complete compliance with all motor vehicle traffic laws, including parking regulations. Except for law enforcement and authorized vehicles, unattended vehicles shall not be left running.

Departments may transport clients or other passengers with approval by the department head as part of official Lyon County business.

Authorized Use of Heavy Duty Vehicles and Off Road Equipment

Use of Lyon County Heavy Duty Vehicles and Off Road Equipment shall be allowed only after the operator's immediate supervisor has ensured that the operator has the appropriate State of Nevada driver's license and training. The operator's direct supervisor shall maintain records of the training, testing, licenses and other items for each individual certified and forward copies to Human Resources. If a driver's license is revoked or allowed to expire, the supervisor shall be notified immediately by the driver. Heavy Duty Vehicles and Off Road Equipment may be operated by the following: Lyon County employees; Board Members and volunteers pre-authorized by Risk Management; and contract employees authorized by their department head or a designee. In addition, all Lyon County Heavy Duty Vehicles must be operated in a safe, courteous, and responsible manner and in complete compliance with all motor vehicle traffic laws, including parking regulations. Lyon County Off Road Equipment must be operated in a safe, courteous, responsible manner and in a fashion consistent with industry standards of operation and safety.

Any Lyon County Heavy Duty Vehicle that requires a Commercial Driver's License (CDL) will only be operated by a CDL driver/operator with a current CDL.

Lyon County Off Road Equipment may be operated by supervised trustees and community service workers when pre-authorized by Risk Management.

Authorized Use of Small Equipment

Use of Lyon County's Small Equipment shall be allowed only after operator's immediate supervisor has ensured that operator has had sufficient training to operate the Small Equipment in a safe, courteous and responsible manner. All Lyon County Small Equipment shall be operated in a fashion consistent with industry standards of operation and safety.

Supervised trusties and community service workers may operate Small Equipment on County property.

Fueling Procedures

All Lyon County vehicles are issued a specific Flyers fuel card for that vehicle. These cards are to be used for fuel and oil purchases for Lyon County vehicles only. Personal vehicles used for business use need to submit reimbursement at the approved mileage reimbursement rate and should never be filled with a Lyon County gas card. Lost or stolen fuel cards are to be reported to your supervisor immediately. Failure to report missing fuel cards immediately will result in the employee's department being charged for any purchases made on the fuel card and may involve disciplinary action.

Flyers has fuel locations throughout the west. If unable to find a fuel location call Flyers at 800-899-2376 or look up locations on their web site at www.flyersenergy.com .

To use the Flyers fuel card follow the instructions listed below. This procedure may vary depending upon the location of the fueling station.

1. Swipe card through card reader.
2. When prompted enter actual odometer reading and press enter.
3. When prompted enter your PIN number and press enter.
4. Select pump number for regular unleaded gasoline or diesel fuel, as required.
5. Remove nozzle and pump fuel.

Departments that are issued loaner vehicles or equipment will return the loaner vehicle or equipment to the location where it was issued with the fuel tank full.

Lyon County Fleet Vehicle and Equipment Condition and General Appearance

Departments are expected to maintain Lyon County Fleet Vehicles and Equipment in a safe, neat, clean, and presentable manner. The Vehicle Maintenance Shop, Heavy Equipment Shop and Utilities Maintenance Shop have facilities available for the departments to clean their vehicles. Car wash expenses at outside facilities will not be reimbursed by Lyon County unless in a location without County facilities available.

Emergency and Safety Equipment

All Lyon County Light Duty Vehicles are equipped with a spare tire, jack/jack handle, first aid kit, and fire extinguisher. All Lyon County Heavy Duty Vehicles and Off Road Equipment are equipped with a first aid kit, fire extinguisher, flares or emergency triangles. Not all Lyon County Heavy Duty Vehicles and none of Lyon County's Off Road Equipment is equipped with a spare tire or jack, operators should contact the appropriate maintenance shop for assistance with flat tires. The department using the vehicle will be responsible for returning the vehicle with all items listed above intact. If an item is expended, the appropriate maintenance shop will be notified for replacement. If appropriate maintenance shop must replace these items due to loss or improper use, the last department that used the vehicle will be billed for replacement items at the actual cost.

Lyon County Fleet Vehicle and Equipment Expenses

Departments are responsible for: regular operating fuel charges; expenses resulting from running out of fuel; charges for lost or misplaced keys; parking or other charges while operating the vehicle; and towing, unless towing is a result of mechanical failure (See Mechanical Road Failure, page 6). Parking tickets or moving violations are not vehicle or equipment expenditures and are not the responsibility of the County. Lyon County will not reimburse or any other expenses unless approved at the discretion of the Lyon County Risk Management Officer.

Prohibited Activities While Operating Lyon County Fleet Vehicles and Equipment

A person under the influence of any amount of alcoholic beverages, prescription drugs that could impair someone's driving ability, illegal drugs, marijuana, or controlled substances may not operate Lyon County Fleet Vehicles or Equipment. The Lyon County Personnel Policy and the Lyon County DOT Drug & Alcohol Testing Policy extends to the use of Lyon County Fleet Vehicles and Equipment.

Smoking is prohibited in Lyon County Fleet Vehicles and Equipment. Activities that distract from the safe and efficient operation of Lyon County Fleet Vehicles and Equipment are prohibited.

Wireless Device Usage

All employees must adhere to all federal, state, and local rules and regulations regarding the use of wireless devices while driving. Drivers are prohibited from using a wireless telephone or other electronic or mobile service device, unless using in a hands-free mode, to communicate while operating a motor vehicle, except to call police, fire, or medical authorities in an emergency situation. Such emergency calls should be kept short or the employee should locate a lawfully designated area to park and continue the call. Should an employee need to make a business or personal call while driving, they should locate a lawfully designated area to park and make the call.

Employees who operate authorized emergency vehicles may use a wireless device while driving during the course of employment for necessary and qualified business purposes only.

Hazard Identification and Avoidance for Vehicles and Equipment Usage

All employees must walk entirely around the vehicle or equipment prior to entering before each use in order to identify any hazards. In addition, where possible, a vehicle or equipment should be parked in a manner so that the operator may pull forward out of the parking space thereby eliminating the need to backup out of a parked space.

13.03 Maintenance and Repair

Light Duty Vehicles

The Vehicle Maintenance Shop or Dayton Fleet Services Maintenance Shop provides for all maintenance, repairs, or special requests for Light Duty Vehicles. Light Duty Vehicles owned by Lyon County shall be serviced by the appropriate maintenance shop. The appropriate maintenance shop shall inform the user at what interval or when the vehicle needs to be serviced. Vehicle users will contact the Vehicle Maintenance Shop or Dayton Fleet Services Maintenance Shop to schedule all repair and maintenance work. In the event that the appropriate maintenance shop is unable to provide the requested service, the Fleet Services Supervisor may authorize the work to be done by an outside vendor, and will make the arrangements for said work.

Heavy Duty Vehicles, Off Road Equipment and Small Equipment

The Heavy Equipment Maintenance Shop or the Dayton Fleet Services Maintenance Shop provides for all maintenance, repairs, or special requests for Heavy Duty Vehicles, Off Road Equipment and Small Equipment. The appropriate maintenance shop shall inform the user at what interval or when the vehicle needs to be serviced. Heavy Duty Vehicles, Off Road Equipment and Small Equipment users will contact the Heavy Equipment Maintenance Shop or the Dayton Fleet Services Maintenance Shop to schedule all repair and maintenance work. In the event the Heavy Equipment Maintenance Shop or the Dayton Fleet Services Maintenance shop is unable to provide the requested service, the Fleet Services Supervisor or the Utilities Maintenance Shop Supervisor may authorize the work to be done by an outside vendor, and will make the arrangements for said work.

Mechanical Road Failure

In the event of a mechanical road failure **during normal Vehicle Maintenance Shop, Heavy Equipment Shop or the Dayton Fleet Services Maintenance Shop hours,** follow the steps listed below:

1. Take all precautions to park the vehicle or equipment safely off the roadway.
2. Attempt to determine the nature of the problem to the best of your ability.
3. Make note of the location of the vehicle or equipment.

4. Contact your immediate supervisor for assistance.

In the event of mechanical road failure **after normal Vehicle Maintenance Shop, Heavy Equipment Shop or the Dayton Fleet Services Maintenance Shop hours,** follow the steps listed below:

1. Take all precautions to park the vehicle or equipment safely off the roadway.
2. Attempt to determine the nature of the problem to the best of your ability.
3. Make note of the location of the vehicle or equipment.
4. Contact your immediate supervisor for assistance.
5. If appropriate maintenance shop is not accessible and the vehicle must be towed, make note of the towing company and the location where the vehicle was towed. If within reason, and possible, have the vehicle towed to the nearest Lyon County Sheriff's Office Sub-station.

13.04 Accidents and Incident Reporting

Accident/Incident Reporting Procedures

Any and all accidents or incidents involving a Lyon County Fleet Vehicle or Equipment must be reported to a Department Head immediately. An accident report packet is located in the glove box of the vehicle, which includes a Notice of Loss/Accident report. This form must be completed and submitted to the Department Head, who confirms the details of the accident, signs the report and forwards it to the Risk Management Department and the appropriate Maintenance Shop.

IF INVOLVED IN AN ACCIDENT, FOLLOW THESE PROCEDURES:

1. Stop at once.
2. Do not move vehicle.
3. Render aid to the injured.
4. Notify law enforcement, give exact location, and advise if there are injuries.
5. Obtain name, address and vehicle license number and insurance information of other party(s) and obtain names and addresses of all witnesses.
6. Complete law enforcement and Lyon County accident reports. DO NOT SIGN OR MAKE A STATEMENT AS TO RESPONSIBILITY.
7. ~~Each employee involved in an accident will be tested for drugs and/or alcohol as soon as possible after the accident, but after any necessary emergency medical attention has been provided, the Lyon County Personnel Policy, Post-Accident Testing, Section 2.9.9. Accidents that trigger testing are those that result in:~~
    a. ~~Death;~~
    b. ~~Medical treatment other than first-aid;~~
    c. ~~Loss of consciousness; or~~
    d. ~~Property damage – any accident in which there is property damage valued at or in excess of five hundred dollars ($500.00).~~
8.7. ~~All DOT FTA and FMCSA employees will adhere to the Lyon County DOT Drug & Alcohol Testing Policy and Procedures.~~Post-accident drug and alcohol testing

will be conducted where required under the section of the Lyon County's Personnel Policy Manual or, as applicable, under Lyon County's DOT Drug and Alcohol Testing Policy.

~~9.~~8. As soon as possible, notify your immediate supervisor Within three working days, the Department Head must submit copy of the Notice of Loss/Accident report to Risk Management and appropriate Fleet Services Supervisor.

Proof of Insurance and Vehicle Registration

Vehicle Registration is carried in the vehicle's glove box. Proof of Insurance is not required to be carried in a government agency vehicle.

Accident Responsibility

For accidents involving a Lyon County Fleet Vehicle or Equipment, where the County driver is at fault, the deductible and all un-recovered costs shall be billed to the department of the driver. In the event of extenuating circumstances, the Risk Management Officer will review the situation and may assign the costs elsewhere.

Citations and Violations

All citations, parking tickets, etc., are solely the responsibility of the driver or occupants of the vehicle and are not the responsibility of Lyon County.

Additional CDL Rules:

- CDL Drivers must notify Lyon County within 30 days of conviction for any traffic violations (except parking). This is true no matter what type of vehicle you were driving.
- CDL Drivers must notify your motor vehicle licensing agency within 30 days if convicted in any other jurisdiction of any traffic violation (except parking). This is true no matter what type of vehicle you were driving.
- CDL Drivers must notify Lyon County if their CDL license is suspended, revoked, or canceled, or if they are disqualified from driving.

13.05 Inspections and Requests

Light Duty Vehicle Inspection by Drivers

Vehicles that are used by multiple employees must be inspected prior to each use. Those vehicles that are assigned to a specific employee must be inspected prior to each use, at a minimum of once a week. These Inspections shall consist of a walk around the vehicle looking for and at the overall condition of the vehicle: paint or body damage, window condition, tire condition, evidence of leaks. If a Safety deficiency is noted the appropriate Fleet Services Maintenance Shop will be notified immediately. If a Non-Safety deficiency is noted the appropriate Fleet Services Maintenance Shop will be notified in writing (e-mail is preferred) by the Department Head or designee.

Heavy Duty Vehicle Daily Pre-Trip Inspection by Drivers

Heavy Duty Vehicles per 49CFR will be inspected using the DRIVERS VEHICLE INSPECTION REPORT that is provided by the Fleet Services Maintenance Shops. In accordance with 49CFR those reports will be turned in to the appropriate Fleet Maintenance Services Shop Technician. These reports become a request for maintenance when a deficiency is noted and signed by the driver.

Off Road Equipment Daily Inspections by Operators

Off Road Equipment must be inspected prior to each use. These Inspections shall consist of a walk around the vehicle looking for and at the overall condition of the vehicle: paint or body damage, window condition, tire condition, evidence of leaks. Fluid levels and ground engaging parts condition will be noted.

Small Equipment Daily Inspections by Operators

Small Equipment must be inspected prior to each use. These Inspections shall consist of a walk around the vehicle looking for and at the overall condition of the vehicle: paint or body damage, window condition, tire condition, evidence of leaks. Fluid levels and ground engaging parts condition will be noted. If a Safety deficiency is noted the appropriate Fleet Services Maintenance Shop will be notified immediately. If a Non-Safety deficiency is noted the appropriate Fleet Services Maintenance Shop will be notified in writing (e-mail is preferred) by the Department Head or designee.

Reporting Safety and Non-Safety Deficiencies

Upon inspection and except as otherwise provided for Heavy Duty Vehicles in this section, if a Safety deficiency of a light duty vehicle, heavy duty vehicle, off road equipment or small equipment is noted, the appropriate Fleet Services Maintenance Shop must be notified immediately and the vehicle must not be operated until further instructed by the Fleet Services Maintenance Shop. If a Non-Safety deficiency is noted, the appropriate Fleet Services Maintenance Shop will be notified in writing (email is preferred) by the Department Head or designee as soon as practical.

Vehicle Use Logs

Some Departments or vehicles may require the use of logs. Heavy Duty Vehicle drivers are required to complete and turn in to the appropriate maintenance supervisor, the Drivers Vehicle Inspection Report as per 49 CFR.

Out of State Travel

Lyon County vehicles may be used for out of state travel with prior approval from the Department Head and Risk Management Officer.

Short Term/ Long Term Vehicle/Equipment Request Form and Authorization

The Short Term Vehicle/Equipment Request Form represents a contract between the department requesting the vehicle and the Fleet Division**.** If possible, the requestor should call and reserve the vehicle at least 24 hours in advance. The driver must have a completed vehicle request form when he/she arrives to pick up the vehicle. The vehicle request form must be signed by the Department Head in order to be valid. Failure to have the form signed may result in denial of a vehicle. The department will return the vehicle or piece of equipment to the location where it was issued with the fuel tank full. Departments are expected to return Lyon County Fleet Vehicles and Equipment in a safe, neat, clean, and presentable manner.

The Long-Term Vehicle/Equipment Usage Request Form represents a contract between the department requesting the vehicle and the Fleet Division. The department requesting a vehicle shall do so at least 48 hours in advance. The Vehicle/Equipment Request Form shall include the length of time the vehicle or equipment will be needed. Upon review of the request form, the Fleet Services supervisor will determine the availability of any vehicle for long-term usage. Additional information may be required from the requesting department. When the Long-Term Usage term has expired the department will return the vehicle or piece of equipment to the location where it was issued with the fuel tank full. Departments are expected to return Lyon County Fleet Vehicles and Equipment in a safe, neat, clean, and presentable manner.

Home Storage

Home storage of Lyon County vehicles is strictly prohibited, except in the following circumstances:

a. With approval from the Sheriff, a law enforcement officer in the Lyon County Sheriff's Office may store a Lyon County vehicle at home if the officer is on call at all times outside of his/her regular shift;
b. With approval from the Chief Juvenile Probation Officer, a juvenile probation officer may store a Lyon County vehicle at home if the officer is on call at all times outside of his/her regular shift;
c. With approval from their department head, employees in the Lyon County Facilities, Roads, and Utilities departments may store Lyon County vehicles at home while on stand-by if they are subject to being physically called back to a Lyon County worksite while on stand-by. For the purpose of this policy, "stand-by" shall have the meaning ascribed to it in Section 8.15 of Lyon County's Personnel Policy Manual; and
d. With approval from the Risk Management Officer, employees may store a Lyon County vehicle at home in emergency circumstances, where the business or operational interests of Lyon County would be best served by such storage, or for other good cause as determined by the Risk Management Officer.

Home storage may be authorized in the above circumstances only where both of the following requirements are met: (i) the employee resides within Lyon County or within an adjacent county that shares a geographical boundary with Lyon County; and (ii) the employee's residence is within one hundred (100) miles of the County seat. In no event will any employee be authorized to store a vehicle at home unless these two requirements are met.

Authorization to store a Lyon County vehicle at home pursuant to this policy is not a right or entitlement, and it may be rescinded at any time. Lyon County may at its sole discretion rescind authorization for any reason, including, without limitation, vehicle availability constraints, fiscal constraints, or violations or abuses of this policy. Violations of this policy may also lead to disciplinary action.

13.06 Failure to Observe Vehicle Use Policies

Failure to observe Lyon County Vehicle/Equipment Use policies while operating a Lyon County Vehicle or piece of Equipment may subject the individual to liability for vehicle expenses incurred, revocation of motor vehicle use privileges, and/or disciplinary action as outlined in County personnel policies and/or the applicable collective bargaining agreement.

Lyon County Board of County Commissioners Agenda Summary

Meeting Date: December 7, 2023

Agenda Item Number:
16.a

Subject:
For Possible Action: Approve an offsite improvement agreement between Lyon County and Stanley Lucas, for Stanley Lucas to make improvements in NDOT right of way, including the construction of a traffic signal at US 50 and Traditions Parkway, related to the Traditions Subdivision and authorize the County to make application, with the landowner responsible for all costs, construction and maintenance until the improvements are accepted by Lyon County or NDOT for maintenance and authorize the County Manager to sign.

Summary:
This agreement would allow the Developer to construct a traffic signal at the intersection of Traditions Parkway and US 50, due to the development of the Traditions Subdivision.

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:
Approve the offsite improvement agreement between Lyon County and Stanley Lucas and authorize the County Manager to sign.

ATTACHMENTS
- Traditions Signal LC Development Agreement

APNs: 016-406-03

WHEN RECORDED RETURN TO:

Lyon County Clerk
27 S. Main Street
Yerington, NV 89447

OFFSITE IMPROVEMENT AGREEMENT

THIS OFFSITE IMPROVEMENT AGREEMENT ("Agreement") is made by and between **STANLEY LUCAS**, a single man ("Landowner"), and **COUNTY OF LYON**, a political subdivision of the State of Nevada ("County").

1. GENERAL

1.1 Property. Landowner is the owner of certain real property located in Lyon County, Nevada consisting of approximately 81.82 acres in Dayton, Nevada, area (the "Property) as more particularly described in **Exhibit "A"** attached hereto.

1.2 Circumstances Requiring Development Agreement. A portion of the Property lies within, or adjacent to, the right-of-way known as U.S. Highway 50 (the "ROW"). As a condition of approval for commercial development of the Traditions Commercial Center, the County requires that certain infrastructure improvements be constructed along, or within the ROW (the "Infrastructure Improvements"). Any development along a similar ROW requires the Department of Transportation, State of Nevada ("NDOT") to review and approve the plans for the Infrastructure Improvements prior to commencement of construction. NDOT begins its review of the Improvement Plans after the applicable municipality, in this case the Couty, has executed and delivered the Revocable Application and Permit for Occupancy of Nevada Department of Transportation Right-of-Way (the "Occupancy Permit"). The County has required that the Landowner execute this Agreement regarding the construction and dedication of the Infrastructure Improvements as a condition precedent to delivering the Occupancy Permit to NDOT, and the Landowner is willing to execute, deliver and perform the obligations set forth herein on the terms and conditions set forth herein.

1.3 Continued Benefit of the Development of Traditions Commercial Center. It is anticipated that the Traditions Commercial Center will be the future location of a significant amount of commercial, industrial and public service providers. The Traditions Commercial Center will be supported by a strong marketplace of pent up demand for commercial services in the Dayton area. However, as with most large-scale commercial centers, complete absorption may take

several years. Future development of the Traditions Commercial Center will serve the public interest in the following ways:

A. The Dayton area is severely lacking in commercial and public services that for its residents that are in close proximity to their homes;

B. New commercial development within the Dayton area will allow the County to capture additional tax revenue currently being lost to adjacent counties;

C. The Traditions Commercial Center will provide a highly visible, centrally located site for the future Lyon County Government Complex

In light of the foregoing, the Landowner and County believe it would be in the public's best interest to permit the Landowner to construct the necessary Infrastructure Improvements in connection with the development of the Traditions Commercial Center, by and through this Agreement.

2. AGREEMENT CONCERNING OFFSITE IMPROVEMENTS

2.1 Property Subject to the Agreement. The following elements are described:

A. The land which is subject to this Agreement is the Property as described in Exhibit "A" hereto;

B. The duration of the agreement commences upon execution hereof by the last party and, unless sooner terminated under NRD 278.0205, shall expire after Public Dedication of the Infrastructure Improvements; and

C. The permitted uses of the Property, the density or intensity of its use, the maximum as height and size of proposed buildings, and the provisions for dedication of any portion of the Property for public use will be provided in a future Development Application and applicable law.

2.2 Delivery of Occupancy Permit. Upon the mutual execution and delivery of this Agreement, the County will execute and deliver to NDOT the Occupancy Permit. Furthermore, following NDOT's approval of the Improvement Plans, the County and/or NDOT will (i) immediately notify the Landowner of said approval, and (ii) the County will promptly execute and deliver any applications, permits and other authorizations that may be required for the Landowner to construction the Infrastructure Improvements.

2.3 Infrastructure Improvements.

A. Following the County's and/or NDOT's notice to the Landowner of NDOT's approval of the Improvement Plans, without any unapproved material revisions, and upon the County's and NDOT's issuance of all required construction permits, the Landowner will use

its commercially reasonable and diligent efforts to complete the Infrastructure Improvements in substantial conformance with the Improvement Plans. The improvements are generally depicted on the Improvement Plans in **"Exhibit "B"** attached hereto. The Landowner will comply with all laws, statutes, codes, ordinances, rules, and regulations in connection with any and all activities performed pursuant to this Agreement. Upon completion of the Infrastructure Improvements by the Landowner, NDOT and/or the County shall inspect the Infrastructure Improvements. If NDOT and/or the County determine the Infrastructure Improvements have been completed in substantial conformance with the Improvement Plans, NDOT and/or the County will approve and accept the Infrastructure Improvement and the Landowner will dedicate the same to the County or NDOT as such parties' direction ("Public Dedication"). The County expressly acknowledges that following inspection and approval of the Infrastructure Improvements, the Landowner will have no further obligation to maintain, repair or replace the Infrastructure Improvements.

B. The Landowner agrees to maintain the improvements at it sole cost and expense until such time as the improvements are accepted for maintenance by NDOT and/or County as described in Paragraph 2.3A above. The Landowner agrees that such acceptance may be delayed until a certain portion of the project is completed, in accordance with standard county practices.

C. In addition, as security for the performance of the work involved in constructing the Infrastructure Improvements, the Landowner shall, at the Landowner's sole cost and expense, be responsible to issue and maintain a performance bond or other acceptable security (the "Security") that the County may reasonably require to be posted in connection with the Infrastructure Improvements. Promptly following NDOT and/or County inspection and approval of the Infrastructure Improvements, the County will, at no cost to the County, cooperate with the Landowner to effectuate the release of the Security.

D. The Landowner expressly acknowledges that the Landowner's (i) failure to diligently pursue completion of the Infrastructure Improvements, or (ii) material breach of any of the other terms and conditions hereunder, in each case after written notice and a reasonable opportunity to cure, shall constitute a default hereunder. In the event of an uncured default, the Landowner further expressly acknowledges that the County may take all rights or remedies against the Landowner for the completion of the Infrastructure Improvements, including without limitation, filing suit against Landowner and/or executing on the Security.

3. MISCELLANEOUS PROVISIONS

3.1 Termination. This Agreement shall terminate upon the Public Dedication of the Infrastructure Improvements to the County or NDOT, as required; provided however the indemnification obligations shall survive as set forth below.

3.2 Indemnity. The Landowner shall indemnify, defend and hold harmless the County from and against any claims, causes of action, suits, demands, liabilities, fees, costs and damages, including without limitation, reasonable attorneys' fees, asserted against or suffered by the County arising from or in connection with the Landowner's construction of the Infrastructure Improvements, which obligation shall remain until the earlier of (i) twelve (12)

months following substantial completion by the Landowner of the Infrastructure Improvements, or (ii) three (3) months following Public Dedication of the Infrastructure Improvements to the County or NDOT.

3.3 Time is of the Essence. Time is of the essence of this Agreement.

3.4 Waivers. No waiver of any breach of any covenant or provision herein contained shall be deemed a waiver of any preceding or succeeding breach thereof, or of any other covenant or provision herein contained. No extension of time for performance of any obligation or act shall be deemed an extension of time for performance of any other obligation or act except those of the waiving party, which shall be extended by a period of time equal to the period of the delay.

3.5 Successors. This agreement shall be binding upon and shall inure to the benefit of the successors and assigns of the parties hereto.

3.6 Attorney's Fees and Costs. If litigation is brought by either party to enforce this Agreement, the court may award reasonable attorney's fees, court costs and interest to the prevailing party.

3.7 Entire Agreement. This Agreement is the final expression of, and contains the entire agreement between, the parties with respect to the subject matter hereof and supersedes all prior understandings with thereto.

3.8 Governing Law. The parties hereto acknowledge that this Agreement has been negotiated and entered into in the State of Nevada. The parties hereto expressly agree that this Agreement shall be governed by, interpreted under, and construed and enforced in accordance with the laws of the State of Nevada and venue for any action shall be solely in state district court for Lyon County, Nevada.

3.9 Days of the Week. If any date for performance herein falls on a Saturday, Sunday or a holiday established under the laws of Nevada the time for such performance shall be extended to 5:00 p.m. on the next business day.

3.10 Written Amendments. This Agreement may not be modified, amended, altered, or changed in any respect whatsoever except by further agreement in writing, duly executed by both parties. No oral statements or representations subsequent to the execution hereof by either party are binding on the other party, and neither party shall have the right to rely on such oral statements or representations.

3.11 Future Cooperation. Each party shall, at the request of the other, at any time, execute and deliver to the requesting party all such further instruments as may be reasonably necessary or appropriate in order to effectuate the purpose and intent of this Agreement.

3.12 Interpretation. The parties hereto acknowledge and agree that each has been given the opportunity to review this Agreement with legal counsel independently. The parties

have equal bargaining power and intend the plain meaning of the provisions herein. In the event of an ambiguity in or dispute regarding the interpretation of the Agreement, the interpretation of this Agreement shall not be resolved by any rule of interpretation providing for interpretation against the party who causes the uncertainty to exist, or against the draftsmen.

[Signatures appear on the following page.]

IN WITNESS WHEREOF, the parties hereto have executed this Agreement to be effective as of the date last written below.

LANDOWNER:

STANLEY LUCAS
a Single Man

By:_____
Don Smit pursuant to Limited Power of Attorney dated July 14, 2021

Date: _____, 2023.

COUNTY:

COUNTY OF LYON
a political subdivision of the State of Nevada, by its COUNTY MANAGER

By: _____
Name: _____
Its: County Manager

Date: _____, 2023.

EXHIBIT "A"

Legal Description

All that real property situate in the County of Lyon, State of Nevada, described as follows:

Adjusted Parcel C as shown on the Record of Survey in support of a Boundary Line Adjustment for Sutro Tunnel Company filed for record on June 17, 2014, in the office of the Recorder, Lyon County, Nevada as Document No. 522357.

EXHIBIT "B"

Improvement Plans

Lyon County Board of County Commissioners Agenda Summary

Meeting Date: December 7, 2023

Agenda Item Number:
16.b

Subject:
For Discussion and Possible Action: Provide direction to staff regarding Miller Lane, Aiazzi Lane & Pete Henrichs Road, discussion to include safety concerns and alternatives for speed limits.

Summary:

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:

ATTACHMENTS

-

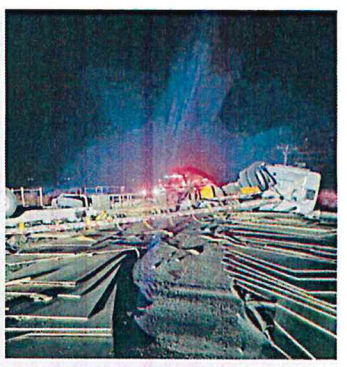












MILLER / AIAZZI / PETE HENDRICHS BYPASS PRESENTATION

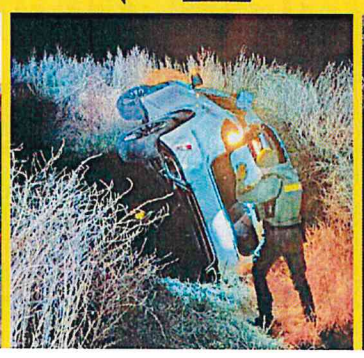
A DANGEROUS SHORTCUT

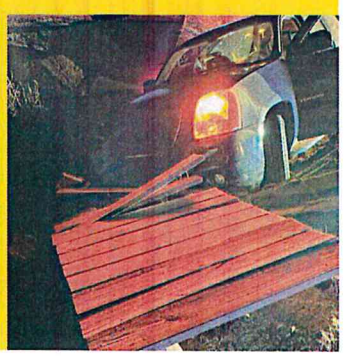
PLEASE JOIN US AS WE PRESENT TO THE LYON COUNTY COMMISSION

THURSDAY, ***DECEMBER 7th 2023*** - MEETING STARTS AT 9:00 AM

THIS IS THE OPPORTUNITY TO HAVE **YOUR VOICE HEARD** BY LYON COUNTY OFFICIALS











95A N to Reno

Miller Ln

Miller Ln

Skewed traffic counts on Goldfield = No traffic light

Local (RTC) funds spent maintaining high traffic roads

Multiple “Zero Shoulder” locations on bypass

Dangerous curve (Miller & Aiazzi) = Many Accidents

Narrow roads cause vehicles to crash into culverts

LCSO must patrol to prevent unauthorized truck traffic

Use of bypass results in missed rest areas by traffic

All winter hazard warning signs are bypassed

Aiazzi Ln

Gable Ln

Canyon Rd

95A E to Las Vegas

95

Pete Hendrichs Rd

Pete Hendrichs Rd

Densmore Ln

Silva Rd

N Willhoyt Ln

Falcon Way

Miley Rd

Nadel Ln

Shirley Ln

Bybee Ln S

Tucker Ln

Yermo Ln

WEED HEIGHTS

Yerington Municipal Airport

Andes Ln

Fox Ln

Burch Dr

YERINGTON

Hwy 339 South

Hwy 208 South

340

E Bridge St

Veterans Memorial Hwy

208

Kenzie Ln

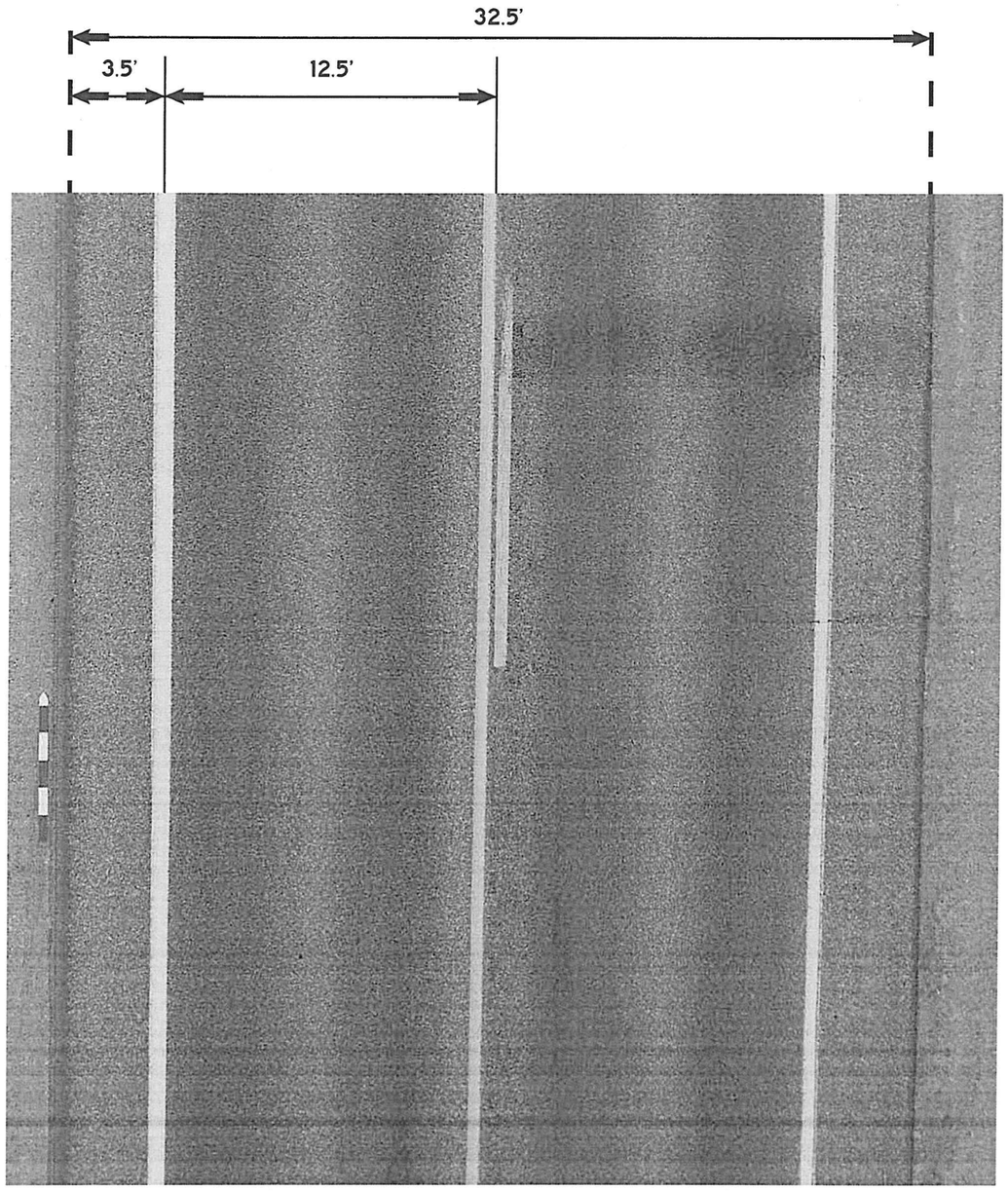
FIRE
RESCUE
EMS

Miller Lane Bypass
49,616 Feet or 9.39 Miles

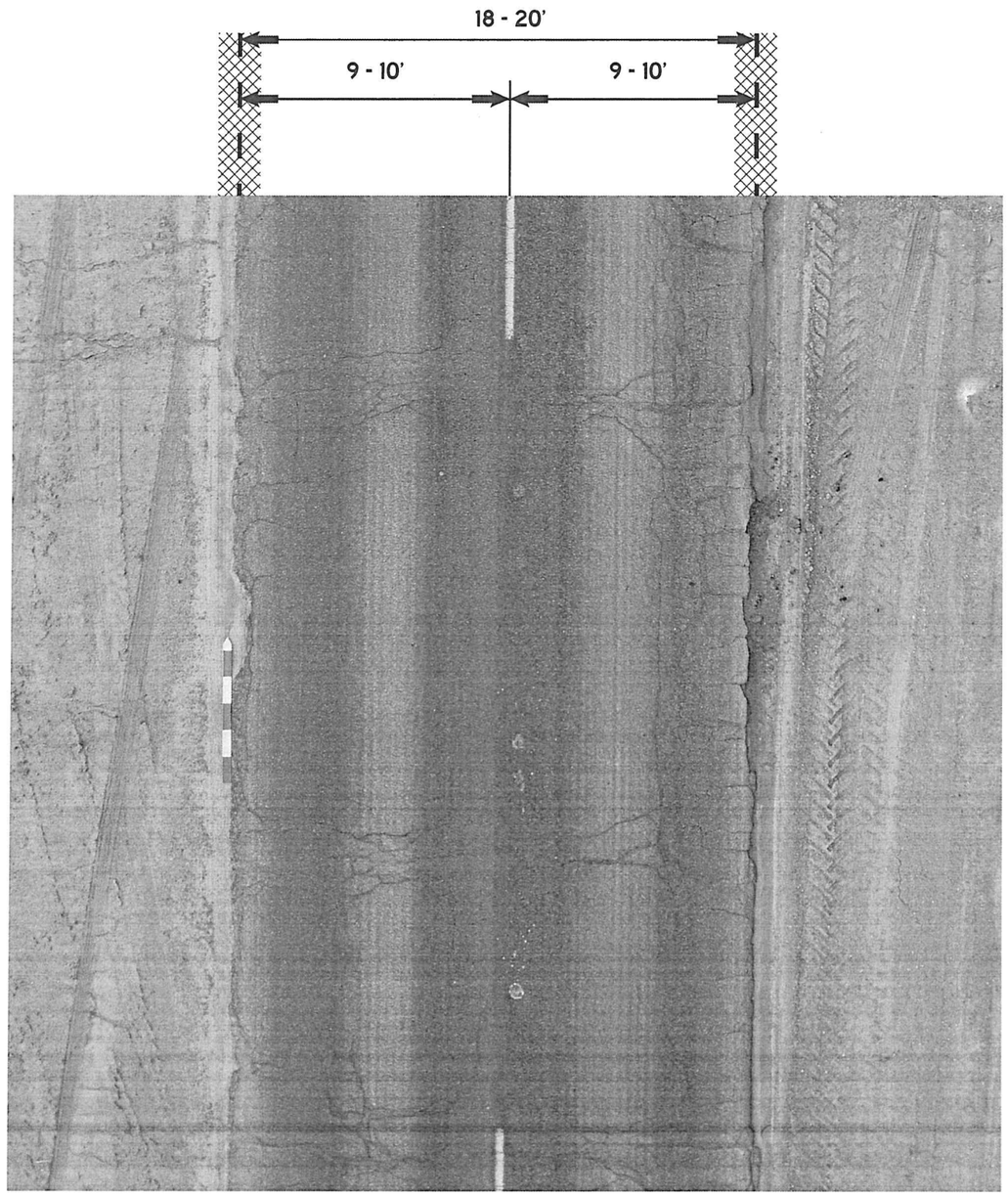
NDOT ROW
67,675 Feet or 12.82 Miles

Miller Lane Bypass - Yerington NV

What is the difference between HWY 95A and the BYPASS?



HWY 95A N at SILVERADO RD



PETE HENDRICHS near FALCON WAY

Lyon County Board of County Commissioners Agenda Summary

Meeting Date: December 7, 2023

Agenda Item Number:
17.a

Subject:
For Possible Action: Approve a contract with Walker Lake Disposal for an amount not to exceed $99,900 for biosolids hauling services from the Rolling A Wastewater Treatment Plant to the Lockwood and Carson City Landfills, with funding coming from the Dayton Sewer Fund (David Bruketta).

Summary:
Sludge produced from the Rolling A wastewater plant is dewatered into a semi-solid material called biosolids which are stored in 20-yard roll-off containers and transported to the Lockwood landfill. On a cases by case basis, Lyon County may approve transportation and disposal at the Carson City Landfill. Because the contract is greater than $50,000 but less than $100,000, informal bidding requirements in accordance with NRS 332 apply. Three contractors, Waste Management, Olcese, and Walker Lake Disposal, were contacted to provide quotes. Walker Disposal was the only responsive bidder.

Financial Department Comments:
This will be paid out of the existing budget in the Dayton Sewer Fund.

Approved As To Legal Form:

County Manager Comments:

Recommendation:
Move to approve as presented.

ATTACHMENTS
- 2024 Biosolids Hauling Contract
- Rate Comparison

INDEPENDENT CONTRACTOR AGREEMENT
FOR SERVICES

For Lyon County Utility Department Tracking:
Title: Rolling A Sludge Hauling

This Agreement is made by and between Lyon County, a political subdivision of the State of Nevada, (hereinafter "County"), and Walker Lake Disposal (hereinafter "Contractor").

1. SERVICES TO BE PERFORMED

Contractor agrees to perform the following services for County: Supply Lyon County Utilities with 20 yard roll off containers for uninterrupted service of the Rolling A WWTP solids handling facility. Transport 20 yard roll off dumpster to and from the Lockwood landfill for biosolids disposal. On a case-by-case basis, Lyon County may approve transportation and disposal at the Carson City Landfill.

The Contractor shall be responsible for:

a. Providing all necessary equipment, materials, labor, and fuel to pick up and transport the biosolids to the landfill.

b. Providing certified landfill weight tickets within 24 hours of leaving Rolling A.

c. Providing up to three (3), 20-yard roll-off containers for the storage and transportation of the biosolids.

d. Creating and adhering to an emergency spill control plan that the County approves. The plan shall provide for prompt cleanup of any spills.

e. Reporting all spills to the County within 12 hours and providing a written report within three calendar days outlining the who, what, where, when, and why details along with an estimated spill amount and how it was cleaned up.

f. Ensuring trucks leaving Rolling A are sufficiently clean as not to create nuisance situations.

Lyon County shall be responsible for:

a. Providing plastic slip liners for the roll-off containers.

b. Cleaning roll-off containers as needed.

d. Performing and documenting the paint filter test on the biosolids.

e. Moving the 20-yard roll-off containers to maximize the biosolids fill.

f. Sampling and testing the biosolids to ensure compliance with landfill requirements.

g. Maintaining landfill agreements.

h. Tipping fee at the landfill(s).

i. Providing a site to unload a roll-off if the load doesn't pass a paint filter test or is not accepted at the landfill due to water content.

Typical biosolids characteristics and quantity

a. Biosolids average solids: 16%.

b. Estimates quantity of biosolids: 2,300 wet tons.

Rates

a. One (1) roll-off per haul to Lockwood Landfill: $424.34

b. Two (2) roll-off per haul to Lockwood Landfill: $826.68

c. One (1) roll-off per haul to Carson City Landfill: $424.34

d. Two (2) roll-off per haul to Carson City Landfill: $826.68

Contractor reserves the right to increase the rate (not to exceed 10%) if, at any unforeseen time, the cost of fuel, insurance or any other business cost arises.

2. TERM

Contractor shall begin performance of services as provided herein on January 1, 2024, and shall complete all services no later than December 31, 2024, unless this Agreement is terminated sooner in accordance with its terms.

3. PAYMENT

In consideration of the services to be performed by Contractor, County agrees to pay Contractor the total sum in the amount not to exceed $99,900. Such payment will be made in accordance with the following schedule: Fee is due upon invoice of completed services.

Contractor shall be responsible for all expenses incurred while performing services under this Agreement. This includes license fees; memberships and dues; automobile and other travel expenses; meals and entertainment; insurance premiums; and all salary, expenses and other compensation paid to Contractor's employees or contract personnel Contractor hires to complete the work under this Agreement.

4. INDEPENDENT CONTRACTOR STATUS AND CERTIFICATION

Contractor is an independent contractor, not a County employee. Contractor's employees or contract personnel are not County employees. Contractor and County agree to the following rights consistent with an independent contractor relationship:

a. Contractor has the right to perform services for others during the term of this Agreement.

b. Contractor has the sole right to control and direct the means, manner and method by which the services required by this Agreement will be performed.

c. Contractor shall not be assigned a work location on County premises, and Contractor has the right to perform the services required by this Agreement at any place, location or time.

d. Contractor will furnish all equipment and materials used to provide the services required by this Agreement.

e. Contractor has the right to hire assistants as subcontractors, or to use Contractor's employees to provide the services required by this Agreement.

f. Contractor or Contractor's employees or contract personnel shall perform the services required by this Agreement and Contractor agrees to the faithful performance and delivery of described services in accordance with the time frames contained herein; County shall not hire, supervise or pay any assistants to help Contractor.

g. Neither Contractor nor Contractor's employees or contract personnel shall receive any training from County in the skills necessary to perform the services required by this Agreement.

h. County shall not require Contractor or Contractor's employees or contact personnel to devote full time to performing the services required by this Agreement.

Further, Contractor hereby certifies:

i. That Contractor is not an employee of County and thereby Contractor waives any and all claims to benefits otherwise provided to employees of the County, including, but not limited to: medical, dental, or other personal insurance, retirement benefits, unemployment benefits, and liability or worker's compensation insurance.

j. That Contractor is licensed by the State or other political subdivisions to provide similar services for other clients/customers. Contractor's business license # is 09282-6 Contractor must provide Federal Tax or Social Security Number on required Form W-9. OR Contractor is not licensed as Contractor and is exempt because NA.

k. That Contractor understands that he/she is solely responsible, individually for federal taxes and social security payments applicable to money received for services herein provided. Contractor understands that an IRS Form 1099 will be filed by the County for all payments received.

l. That Contractor agrees, as a precondition to the performance of any work under this Agreement and as a precondition to any obligation of the County to make any payment under this Agreement, to provide County with a certificate issued by an insurer in accordance with NRS 616B.627 and NRS 617.210.

5. INDEMNIFICATION AND HOLD HARMLESS

Contractor shall save, hold harmless, and indemnify County, its officers, agents and employees, from and against all claims, causes of action, liabilities, expenses and costs, including reasonable attorneys' fees, for injury or death of any person or damage to property arising out of, or connected with, work performed under this Agreement which is the result of any acts or omissions, whether negligent or otherwise, of Contractor, its officers, agents, subcontractors or employees.

6. INSURANCE

County shall not provide any insurance coverage of any kind for Contractor or Contractor's employees or contract personnel. Contractor shall procure and maintain general liability coverage in an amount of not less than $1,000,000 and auto liability coverage in an amount of not less than $1,000,000 to cover Contractor's activities with respect to services provided pursuant to this Agreement.

7. OWNERSHIP OF PRODUCTS/DOCUMENTS

Contractor hereby assigns to County all rights to all products, reports, documents, photographs, videos, data, and drawings produced by Contractor as a result of its services to County during the term of this Agreement.

8. BACKGROUND INVESTIGATION

If required by County, Contractor agrees to submit to a full background investigation prior to the performance of any services under this Agreement, which may include but is not limited to, a criminal history check and fingerprinting. Any cost associated with the background investigation will be paid by Contractor. Notwithstanding the provisions of paragraph 8 below, the discovery of an undisclosed criminal conviction may be grounds for immediate termination of this Agreement without prior notice by the County, as may the conviction of Contractor during the term of the Agreement of any criminal offense.

9. TERMINATION OF AGREEMENT

This Agreement may be terminated by either party by giving the other party written notice of the intent to terminate. The notice must specify a date upon which the termination will be effective, which date may not be less than 30 calendar days from the date of mailing the notice. Only services satisfactorily performed up to the date of receipt of notice shall be compensated by County and such compensation shall be pursuant to the terms of this Agreement. Notice shall be deemed received 3 days after mailing in the United States mail, using first class mail, postage prepaid.

10. MISCELLANEOUS PROVISIONS

a. This Agreement shall be entered into in Lyon County, State of Nevada, and shall be construed and interpreted according to the law of the State of Nevada.

b. All notices and other communications in connection with this Agreement shall be in writing and shall be considered given 3 days after mailing in the United States mail, using first class mail, postage prepaid, to the recipient's address as stated in this Agreement.

c. Contractor shall comply with all federal, state and local laws requiring business permits, certificates and licenses required to carry out the services to be performed under this Agreement.

d. Contractor may not assign or subcontract any rights or obligations under this Agreement without County's prior written approval.

e. This Agreement constitutes the entire agreement between the parties and may only be modified by a written amendment signed by the parties hereto.

CONTRACTOR

By: Joe Peters
Walker Lake Disposal
8383 Reno Hwy
Fallon, NV 89403

Tel: (775) 423-2382
Email: joe@walkerlakedisposal.com

_____
Signature

_____
Date

LYON COUNTY

By: Dave Hockaday
Chair – Board of Lyon County Commissioners

_____
Signature

_____
Date

VENDOR QUOTE COMPARISON

Haul Fee Only	Walker Lake Disposal	Olcese	Waste Management
1 Dumpster -Lockwood	$ 402.34	$ 450.00	No Quote
2 Dumpsters - Lockwood	$ 804.68	$ 1,050.00	No Quote
1 Dumpster - Carson	$ 402.34	$ 335.00	No Quote
2 Dumpsters - Carson	$ 804.68	$ 685.00	No Quote

Notes:

Walker Lake - $22.00 / load fuel surcharge

Olcese - $18% / load fuel surcharge. 10 ton weight limit - $75 per ton fee will be charged in excess of 10 tons.

Haul Fee Including Fuel Surcharge

1 Dumpster -Lockwood	$ 424.34	$ 531.00	No Quote
2 Dumpsters - Lockwood	$ 826.68	$ 1,239.00	No Quote
1 Dumpster - Carson	$ 424.34	$ 395.30	No Quote
2 Dumpsters - Carson	$ 826.68	$ 808.30	No Quote

Gmail Stephanie Kapfenstein <skapfenstein@lyon-county.org>

Request for Quote: Biosolids Hauling for Lyon County Wastewater

3 messages

Stephanie Kapfenstein <skapfenstein@lyon-county.org> Thu, Nov 2, 2023 at 12:46 PM
To: "Gillooly, Fabian" <FGillool@wm.com>

Fabian,

Our 2023 Biosolids Hauling Contract with Walker Lake will expire December 31st. I am reaching out to see if you are interested in providing a quote for this service for 2024.

I have attached a copy of the 2024 Independent Contractor Agreement document for your review.

Please submit a quote, on company letterhead, by Monday November 13th if you are interested so that the quotes and contract can be packaged and agendized for the December 7th Commissioner meeting.

Thank you,

Stephanie Kapfenstein
Wastewater Superintendent
Lyon County Utilities
skapfenstein@lyon-county.org

2024 Biosolids hauling contract.docx
28K

Gillooly, Fabian <FGillool@wm.com> Thu, Nov 2, 2023 at 4:14 PM
To: Stephanie Kapfenstein <skapfenstein@lyon-county.org>

Stephanie,

Good afternoon.

I appreciate you sending this over for review, Walk Lake hauls this material to Lockwood Landfill now - we appreciate your business.

We will not be submitting a bid for the transportation.

Thank you

Thank you

FABIAN GILLOOLY

Industrial Account Executive

Industrial Solutions

Northern California – Nevada

fgillool@wm.com

775 527 2130

100 Vassar Street

Reno, NV 89502

Olcese
WASTE SERVICES

Quote for Service

Date:11/14/2023
Invoice
Expiration Date 2/1/2024

Olcese Waste Services
125 Industrial Way
Mound House, NV 89706
Operations Manager
(775)882-1647(EXT115)
Fax (775) 246-3511
Terry@olceseservices.com

To Lyon County Utilities
Stephanie kapfenstein
Wastewater Superintendent

skapfenstein@lyon-county.org

Salesperson	Job	Payment Terms	Due Date
Terry Berardy	**Biosolids Hauling**	Invoiced monthly	Due Upon Receipt

Qty	Description	Unit Price	Line Total
	Lyon County supplies and lines the dumpsters.		
1	**Dumpster Hauled to Lockwood**	$450.00 Per Haul	
2	**Dumpsters hauled to Lockwood**	$1050.00 Per Haul	
1	**Dumpster Hauled to Carson Landfill**	$335.00	
2	**Dumpsters Hauled to Carson Landfill**	$685.00	
	10 Ton Weight limit Overweight will be $75.00 per Ton		
	18% Fuel Surcharge on top of haul fee, this percentage can go down if fuel rates go down.		
	Haul Fee Only		
	Monday thru Friday		
		Subtotal	
		Sales Tax	0
		Total	

Quotation prepared by: Terry Berardy

Signature: _____

This is a quotation on the goods named, subject to the conditions noted below: (Describe any conditions pertaining to these prices and any additional terms of the agreement. You may want to include contingencies that will affect the quotation.)

To accept this quotation, sign here and return: _____

Gmail

Stephanie Kapfenstein <skapfenstein@lyon-county.org>

Request for Quote: Biosolids Hauling for Lyon County Wastewater

Joe Peters <joe@walkerlakedisposal.com>
To: Stephanie Kapfenstein <skapfenstein@lyon-county.org>

Tue, Nov 14, 2023 at 10:31 AM

Good morning,

The rates for the 2024 year will remain the same. $424.34 for single roll off and $826.68 for double roll offs.

Thank you,

Joe

Joe Peters
Walker Lake Disposal, Inc.
Fallon, Nv 89406
Ph,775-423-2382
Fax,775-423-2052
joe@walkerlakedisposal.com

[Quoted text hidden]

Lyon County Board of County Commissioners Agenda Summary

Meeting Date: December 7, 2023

Agenda Item Number:
18.a

Subject:
For Possible Action: Appoint up to two members to the Central Lyon County Park Advisory Board with terms expiring December 31, 2024.

Summary:

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:

ATTACHMENTS

- Kathryn Ataman, 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:

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

Contact Information:

Name: Kathryn Ataman

Address: PO Box 21

Phone: 775 2913650 Email: kathrynataman@gmail.com

How long have you been a resident of Lyon County? 34 years

How many board or commission meetings have you attended in the last year? 20

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

Silver City Advisory Board (several years 15+years ago, 2021-2023)
BLM Resource Advisory Council (1995-2005)
Comstock Historic District Commission (2003-2008)
Central Lyon County Parks and Recreation Board (2021-2023)
Silver City Preservation Society (2022-present)

Education and/or training relevant to the position you are applying for:
Before I retired, I worked at BLM and part of my job involved recreational facilities and activities on public land in a National Conservation Area.

Explain briefly why you would like to be appointed to this board or commission:
I have been serving on the CLCP&R Board for the last two years. Because I was on the Silver City Advisory Board, I was able to facilitate communication between that board and the Parks Board. I also think I am now more aware of the needs for recreational facilities by L;yon County residents.

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: Kathryn Hansen Date: 11/14/23

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: Kathryn Hansen Date: 11/14/23

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