

The Honorable Board of Lyon County Commissioners met this day in regular session with the following present: Chairman Bob Hastings, Vice-Chairman Joe Mortensen, Commissioner Vida Keller and Commissioner Ken Gray. Absent were Commissioner Greg Hunewill and County Manager Jeff Page. Also present: District Attorney Steve Rye and Clerk/Treasurer Nikki Bryan.

1. Roll Call

Present: Bob Hastings, Joe Mortensen, Ken Gray and Vida Keller.

Comm. Hastings noted that Comm. Hunewill and County Manager Jeff Page are absent today because they are at the National NACO Conference in Washington, DC.

2. Invocation

Invocation was given by Archie Walker of the Smith Valley Baptist Church.

3. Pledge of Allegiance

4. Time Certain

4.a. 9:15 A.M. Public Hearing- Bill No. 19-01: For Possible Action: Approve an ordinance amending Lyon County Code Title 15 – Land Use and Development Code- by amending Chapter 239 Building Permits to adopt the 2018 Edition of the International Building Code, International Residential Code, International Mechanical Code, Uniform Mechanical Code, Uniform Plumbing Code, International Fuel Gas Code, International Energy Conservation Code, International Existing Building Code, 2017 Edition National Electrical Code, 2018 edition of the International Fire Code and the 2018 Northern Nevada Amendments, each of which are to become effective July 1, 2019; and providing for severability, constitutionality and effective date thereof; and other matters properly relating thereto.

- BILL NO. 19-01, Ord 604

- Newspaper Affidavit

Comm. Hastings asked for any Public Participation and there was none.

Comm. Keller moved to continue Bill No. 19-01 to come back within the next thirty days to allow Comm. Hunewill and Comm. Keller for further input and review of the item.

District Attorney commented to the public and to the Board that this is a periodic review update of codes from a committee.

Comm. Gray seconded, and the item passed 4-0. (Comm. Hunewill absent)

4.b. 9:25 A.M. Public Hearing- Bill No. 19-02: For Possible Action: Approve an An ordinance amending the Lyon County Code Title 1 Administrative; By amending, Chapter 7 County Manager; Subchapter 03 by adding Section D and providing for the severability, constitutionality and effective date thereof; and other matters properly relating thereto.

- BILL NO. 19-02, ORD. 605

- Newspaper Affidavit

Comm. Gray requested to change the wording from “may appoint” to “shall appoint,” in the event he is incapacitated.

Comm. Hastings recommended leaving the wording as is. With the wording “may,” it would allow more time to address the situation, should it occur.

Comptroller Josh Foli also recommended leaving the wording as is, in the event the County Manager is incapacitated for a short time period. A few weeks’ time span between Commissioner Meetings won’t greatly impact County Operations.

Comm. Hastings asked for any Public Participation and there was none.

Comm. Mortensen moved to approve Item #4.b. as presented. Comm. Gray seconded and the motion passed 4 - 0. (Comm. Hunewill absent)

4.c. 9:35 A.M. Public Hearing- Bill No. 19-03: Approve an ordinance amending Title 3: Boards and Commissions, Chapter 2: Planning Commission, Sections 2 and 3, to include

compensation and expenses of the planning commission, and providing other matters property relating thereto.

- BILL NO. 19-03, ORD. 606

- Newspaper Affidavit

District Attorney Steve Rye presented the item and requested approval from the Board to comply with the State Statute. The Planning Commission will have a reduction in compensation moving forward. However, the County will provide the maximum amount of compensation allowed by the statute.

Comm. Gray asked if the compensation will have to be recuperated.

District Attorney Steve Rye replied that the County will not recoup costs at no fault to the Planning Commission.

Comm. Mortensen moved to approve Item #4.c. as presented. Comm. Keller seconded, and the motion passed 4 – 0. (Comm. Hunewill absent)

5. Public Participation

There was no public participation.

6. For Possible Action: Review and adoption of agenda

Comm. Keller requested to move Item #4.a. to the next agenda since she and Comm. Hunewill have further questions for the item and he is absent.

District Attorney Steve Rye recommended for the Board to proceed as scheduled with the Public Hearing and to allow the public to participate, after which, possibly move the item.

Comm. Mortensen moved to adopt the agenda as presented. Comm. Gray seconded, and the motion passed 4 – 0. (Comm. Hunewill absent)

7. Presentation of awards and/or recognition of accomplishments

There was none.

8. Commissioners/County Manager reports

Comm. Gray commented that on Ramsey Weeks there were Semis traveling on that road.

Comm. Keller requested to have the Silver Springs Airport Master Lease be placed on the March 21, 2019 agenda.

Comm. Mortensen stated that at the Fernley City Council meeting, that they withdrew their neutral position on the Diesel Tax. Fernley is also in support of the NACO Diesel Fuel Bill.

9. Elected Official's reports

No Elected Official reports were given.

10. Appointed Official's Report

Facilities Director Rob Dunbar gave a report for the Fernley Senior Center. The project is moving forward with architecture and design and then also the building permits. The bids have come in for the jail and the contract will be coming forward soon.

11. Advisory Board Reports

Chairman of the Silver Springs Advisory Board Scott Keller reported that at the last meeting they had concerns about the trucks using the alleyways between Fort Churchill and Nevada Street, creating damage. There was an agenda request to have the Wood Processing Plant to come and give the community a report on progress. There have been no negative reports from the community regarding odor.

They would like to have NDOT come to present updates.

Utilities Director David Bruketta came to the meeting and informed the community of the status of operations.

CONSENT AGENDA

Comm. Hastings asked for any changes from the board or staff for the consent agenda. There was a request for Item #14.e. be removed and be heard separately.

12. Assessor's Corrections

- 12.a. For Possible Action: Approval of changes on Assessor's tax roll due to correction in assessments and review of tax roll changes.**
- Comm Delete 3-7-19 Unsecured Factual
- Comm Delete 3-7-19 Secured Factual

Unsecured Property factual corrections totaled \$18.58 and Secured Property corrections totaled \$13,271.29.

13. For Possible Action: Approve County Commission Minutes

- 13.a. For Possible Action: Approve the February 21, 2019 Minutes.**
- February 21, 2019 Minutes

The February 21, 2019 Lyon County Commissioners' minutes were approved.

14. Other Consent Items

- 14.a. For Possible Action: Review and accept claims and financial reports.**
- Claims Report 2-1-19 to 2-15-19
- Cash Report 2-15-19

The cash balance as of February 15, 2019 was \$ 59,162,407.81. County claims totaled \$1,588,686.74 and payroll totaled \$994,004.32.

- 14.b. For Possible Action: Review and accept travel claims.**
- Travel Report 2-1-19 to 2-15-19

Travel claims totaled \$3,624.74.

- 14.c. For Possible Action: Approve 2019 Virginia City Hillclimb for September 21st and 22nd 2019 (requested by Ferrari Club of America-Pacific Region).**
- Letter, Dennis Chiodo

- 14.d. For Possible Action: Approve amendment #1 to Task Order #89 with Farr West Engineering in an amount not to exceed \$141,900 to perform a Preliminary Engineering Report and Environmental Assessment Report for the Rolling A Wastewater Treatment Facility expansion project in order to comply with the eligibility requirements for a State Revolving Fund Loan.**
- Amendment 1 to Task Order 89 Farr West Engineering

Comm. Mortensen moved to approve the consent agenda, Items #12.a through #14.d., minus Item #14.e to be pulled and reviewed separately. Comm. Gray seconded and the motion passed 4 - 0. (Comm. Hunewill absent)

- 14.e. For Possible Action: Approve an interlocal agreement between Lyon County, NV and the City of Fernley in reference to the building of a Senior Center on property owned by the City of Fernley.**
- Interlocal Agreement City of Fernley, County Land Swap

District Attorney Steve Rye presented to the Board a Resolution for the land exchange for the Senior Center in the City of Fernley. After review of the agreement, the DA's Office concluded that procedural steps should be implemented before the agreement is brought before the board. The steps would include having the resolution approved and noticed in the newspaper for the exchange of the property and agendize the public hearing with the agreement.

Comm. Mortensen asked if the Health Nurse couldn't be placed in the Community Center because of grant money.

Comptroller Josh Foli replied on the Public Health Nurse Facility. There wasn't enough parking and the Federal Grant money would need to be paid back.

Comm. Mortensen moved to approve the resolution as presented. Gray seconded 4-0. (Comm. Hunewill absent)

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

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

15. Planning

15.a. For Possible Action: ISBELL, CHARLES C. TRS./ ELLINGER, MICHAEL C. TRS., ETAL – ZONE CHANGE-Request to change the zoning from RR-2 (Rural Residential-2 acre minimum) to SR-1/2 (Suburban Residential - 1/2 acre minimum) on two adjacent parcels, each .51 total acres in size; APN 018-405-53 is located at 3905 Elm St., Silver Springs and APN 018-405-54 is located at 3907 Elm Street, Silver Springs (PLZ-19-0003) - Staff Report

Planner Tammy Kinsley presented the application and findings. The Planning Commission approved the Parcel Map and the Zoning Map Amendment Application and forwarded a recommendation of approval. She stated the proper procedure, Per NRS 278.461 and Lyon Co code, is any person who wishes to divide any land for transfer or development into four lots or less shall prepare a map as required by local ordinance, and present the map to the Planning commission for determination. In addition Per NRS 278.469 a parcel map cannot be in conflict with planning and zoning requirements. Staff recommended approval of the Zoning Map Amendment to correct the error that occurred in 1985 based on the four findings.

Comm. Hastings asked for any Public Participation or further comment from the board or applicant, and there was none.

Comm. Mortensen moved to approve the Request to change the zoning for ISBELL, CHARLES C. TRS./ ELLINGER, MICHAEL C. TRS., ETAL – ZONE CHANGE-Request to change the zoning from RR-2 (Rural Residential-2 acre minimum) to SR-1/2 (Suburban Residential - 1/2 acre minimum) on two adjacent parcels, each .51 total acres in size; APN 018-405-53 is located at 3905 Elm St., Silver Springs and APN 018-405-54 is located at 3907 Elm Street, Silver Springs (PLZ-19-0003), as presented and the 4 Findings as follows:

- A. The proposed zone change is in substantial compliance with and promotes the Master Plan goals, objectives and actions.
- B. The proposed zone change would promote development that is commensurate with the character and current use of the surrounding land and will not have detrimental impacts to other properties in the vicinity.
- C. The proposed zone change is timely and contributes to the orderly and efficient arrangement of transportation and other public facilities and services.
- D. The proposed zone change will not negatively impact existing or planned public services or facilities and will not adversely impact the public health, safety and welfare.

Comm.

Gray seconded and the motion passed 4 – 0. (Comm. Hunewill absent)

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

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

16. Board Appointments and Resignations

16.a. For Possible Action: Appoint member to the Central Lyon Park & Recreation Board, with a term expiring December 31, 2020. - William Gar, Application

Comm. Hastings asked for any Public Participation or further comment from the board and there was none.

Comm. Mortensen moved to appoint William Gar to the Central Lyon Park & Recreation Board, with a term expiring December 31, 2020. Comm. Gray seconded and the motion passed 4 – 0. (Comm. Hunewill absent)

17. Comptroller

17.a. For Possible Action: Approve repeater site in the Yerington area with funding to come from the Capital Improvements Fund.

Comptroller Josh Foli requested from the board the approval of the additional funding of \$150,000 to create a repeater site to come from the Capital Improvements Fund.

Comm. Gray asked if this site is on existing property or will there be additional fees.

Comptroller Josh Foli responded that the property they are looking to acquire is owned by the City of Yerington and have requested a grant for an easement. The water tanks did not provide enough coverage because of the terrain.

Comm. Mortensen moved to approve Item #17.a. as presented.

Comm. Hastings asked for any Public Participation or further comment from the board and there was none.

Comm. Gray seconded and the motion passed 4 – 0. (Comm. Hunewill absent)

RECESS TO RECONVENE AS WILLOWCREEK GENERAL IMPROVEMENT DISTRICT BOARD

18. Public Participation

There was no public participation.

19. For Possible Action: Review and Accept Claims and Financial Report

- 19.a. For Possible Action: Review and accept claims and financial reports.**
- Claims Report 2-1-19 to 2-15-19
- Cash Report 2-15-19

The cash balance as of February 15, 2019 was \$382,290.88. Claims totaled \$759.16 and there was no payroll.

Comm. Mortensen moved to approve the claims and financial report as presented. Comm. Gray seconded and the motion passed 4 – 0. (Comm. Hunewill absent)

20. Public Participation

There was no public participation.

ADJOURN TO RECONVENE AS MASON VALLEY MOSQUITO ABATEMENT DISTRICT BOARD

21. Public Participation

There was no public participation.

22. For Possible Action: Review and Accept Claims and Financial Report

- 22.a. For Possible Action: Review and accept claims and financial reports.**
- Claims Report 2-1-19 to 2-15-19
- Cash Report 2-15-19

The cash balance as of February 15, 2019 was \$ 451,005.21. Claims totaled \$17,318.90 and payroll totaled \$3,072.62.

Comm. Mortensen moved to approve the claims and financial report as presented. Comm. Gray seconded and the motion passed 4 – 0. (Comm. Hunewill absent)

23. Reports

- 23.a. For Possible Action: Review and accept the Manager's Report and minutes from the Mason Valley Mosquito Abatement Board**
- Manager's Report and Minutes, January 2019

Comm. Hastings acknowledged the District Manager's report and asked for comments from the board.

Comm. Mortensen moved to approve the Mason Valley Mosquito Abatement District Report. Comm. Gray seconded and the motion passed 4 – 0. (Comm. Hunewill absent)

24. Public Participation

There was no public participation.

ADJOURN TO RECONVENE AS WALKER RIVER WEED CONTROL DISTRICT BOARD

25. Public Participation

There was no public participation.

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

- 26.a. For Possible Action: Review and accept claims and financial reports.**
- Claims Report 2-1-19 to 2-15-19
- Cash Report 2-15-19

The cash balance as of February 15, 2019 was \$128,250.29. Claims totaled \$1,370.00 and there was no payroll.

Comm. Mortensen moved to approve the claims and financial report as presented. Comm. Gray seconded and the motion passed 4 – 0. (Comm. Hunewill absent)

27. Public Participation

There was no public participation.

ADJOURN TO RECONVENE AS CENTRAL LYON COUNTY VECTOR CONTROL DISTRICT BOARD

28. Public Participation

There was no public participation.

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

- 29.a. For Possible Action: Review and accept claims and financial reports.**
- Claims Report 2-1-19 to 2-15-19
- Cash Report 2-15-19

The cash balance as of February 15, 2019 was \$339,939.97. Claims totaled \$0 and there was no payroll.

Comm. Mortensen moved to approve the claims and financial report as presented. Comm. Gray seconded and the motion passed 4 – 0. (Comm. Hunewill absent)

30. Public Participation

There was no public participation.

ADJOURN TO RECONVENE AS SILVER SPRINGS GENERAL IMPROVEMENT DISTRICT BOARD

31. Public Participation

There was no public participation.

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

- 32.a. For Possible Action: Review and accept claims and financial reports.**
- Claims Report 2-1-19 to 2-15-19
- Cash Report 2-15-19

The cash balance as of February 15, 2019 was \$2,482,280.38. Claims totaled \$8,697.56 and there was no payroll.

Comm. Mortensen moved to approve the claims and financial report as presented. Comm. Keller seconded and the motion passed 4 – 0. (Comm. Hunewill absent)

33. Public Participation

There was no public participation.

ADJOURN TO RECONVENE AS THE LYON COUNTY BOARD OF COMMISSIONERS

34. Commissioner Comments

Comm. Keller thanked Rob Dunbar for his efforts on the Silver Stage Park.

Comm. Gray will not be using his cell phone until a phone number will be changed due to harassing phone calls.

35. Closed Session pursuant to NRS 241.015(3)(b)(2) - Go into closed session, pursuant to NRS 241.015(3)(b)(2), to receive information from the District Attorney regarding potential or existing litigation involving a matter over which the Board has supervision, control, jurisdiction or advisory power, and to deliberate toward a decision on the matter, and pursuant to NRS Chapter 288.220, to receive a report on the status of ongoing labor negotiations; and direct staff accordingly. (For possible action)

District Attorney Steve Rye stated there will be no closed session.

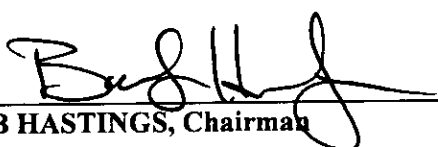
36. Public Participation

There was no public participation.

37. Adjourn

Comm. Hastings adjourned the meeting.

LYON COUNTY BOARD OF COMMISSIONERS



BOB HASTINGS, Chairman

ATTEST



NIKKI BRYAN, Lyon County Clerk/Treasurer