



**LYON COUNTY BOARD OF COUNTY COMMISSIONERS
THURSDAY, JULY 07, 2022
9:00 AM
LYON COUNTY ADMINISTRATIVE COMPLEX
27 S. MAIN STREET
YERINGTON, NV 89447**

Join Zoom Meeting:

<https://us02web.zoom.us/j/81992192772?pwd=e7XSOat5oBGGVOvDoxLTwVYbndIKGa.1>

Meeting ID: 819 9219 2772 / Passcode: 114403

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

County Commission meetings are open to the public and members of the public may attend in person and the meetings are also virtual and the public may attend via Virtual Zoom.

Public Comment: Lyon County allows the following. If you are attending the virtual Zoom meeting, public comment may be provided 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 also be mailed to the Lyon County Manager's Office at 27 S. Main Street, Yerington, Nevada 89447, but all public comments must be received prior to the date of the meeting if the comments are to be included in the supplemental materials. Any written public comment received the day of the Board meeting 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.

You can also provide public comment, or request supporting materials, for this meeting by sending us an email to countyclerks@lyon-county.org. Be sure to type, PUBLIC COMMENT or DOCUMENT REQUEST in the subject line.

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 Betty Weiser of the United Methodist

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. Afterwards, please print your name at the Clerk's desk.*

5. For Possible Action: Review and adoption of agenda

6. Time Certain

- 6.a. Time Certain for 9:00 AM: For Presentation Only: Recognize employees who hit service milestones with Lyon County.
- [2022 Service Awards](#)
- 6.b. Time Certain at 9:00 A.M. For Presentation and Discussion: General Michael Peyerl presentation for the Nevada National Guard. (Requested by Comm. Gray)
- [Nevada National Guard Brief](#)
- 6.c. Time Certain at 09:00 A.M. Public Hearing- Bill No. 22-06: For Possible Action: Approve an ordinance amending Lyon County Code Title 15, the Lyon County land use and development code; Chapters 15.607.01 (A); 15.607.04 (A); 15.607.04 (B); 15.607.05 (A); 15.607.05 (B); 15.607.06 (A); 15.607.06 (D) and 15.607.06 (E); to authorize the Community Development Director to approve final subdivision map applications as allowed under Nevada Revised Statutes 278.380.
- [Community Development Director Final Subdivision Map Approval Ordinance \(track changes\)](#)
- [Community Development Director Final Subdivision Map Approval Ordinance](#)
- [Newspaper Notice](#)
- 6.d. Time Certain at 9:00 A.M. Public Hearing- Bill No. 22-07: For Possible Action: Approve an ordinance to amend Lyon County Code Title 15, Chapter 15.320 Section 3 Table 15.320-1; Chapter 15.320 Section 3 Table 15.320-2; and Chapter 15.335.03 Section WW; to require a conditional use permit for self storage/RV storage uses in commercial zoning districts and to change the Performance Standards for self storage/RV storage uses; and other matters pertaining thereto.
- [Self Storage Ordinance \(track changes\)](#)

- [Self Storage Ordinance](#)
- [Newspaper Notice](#)

- 6.e. NOTE: Silver Springs General Improvement District Board
Time Certain for 9:30 AM: For Possible Action: To consider a petition by DG Locust Grove Circle K, LLC., to enlarge the boundaries of the Silver Spring General Improvement District sewer service area to include owners APN 015-181-03.

7. Presentation of awards and/or recognition of accomplishments

- 7.a. For Presentation Only: Recognize the Lyon County Forensic Assessment Safety Triage Team for being honored as a Rural Justice Collaborative Innovation Site. (Shayla Holmes)
- 7.b. For Presentation Only: Recognize the Lyon County Court Appointed Special Advocates (CASA). (Requested by Comm. Gray)
- 7.c. For Presentation Only: Recognize the Foster Families in Lyon County. (Requested by Comm. Gray)

8. Commissioners/County Manager reports

9. Elected Official's reports

- 9.a. For Report Only: Canal Township Justice Court
- [May 2022 Statistics](#)
- 9.b. For Report Only: Dayton Justice Court
- [Criminal and Civil Statistics](#)

10. Appointed Official's reports

11. Advisory Board reports

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. For Possible Action: Approve County Commission Minutes

- 12.a. For Possible Action: Approve the June 16, 2022 and the June 23, 2022 minutes.
- [June 16, 2022 Minutes](#)
- [June 23, 2022 Minutes \(Canvass the Vote\)](#)

13. Contracts

- 13.a. For Possible Action: Approve Amendment No. 4 to an agreement with Farr West Engineering for building department services increasing the monthly fee from \$39,058.25 to \$42,182.92, effective July 1, 2022.
- [Amendment No. 4 FY23 Farr West Contract for Building Department Services](#)
- 13.b. For Possible Action. Approve contract Amendment No. 2 to the One Nevada Agreement on the Allocation of Opioid Recoveries to allow the State of Nevada to disburse the funds to the attorneys

and the local entities including Lyon County in accordance with the One Nevada Agreement allocations and authorize the Board Chair and County Manager to execute any required documents.

- [Amendment No. 2 to One Nevada Agreement](#)
- [Amendment No. 1 to One Nevada Agreement](#)
- [One Nevada Agreement on Opioid Litigation](#)

- 13.c. For Possible Action: Approve independent contract for services with Consumer Direct Services, LLC to provide homemaker services to individuals within the Senior Services Case Management program.
- [FY23 Consumer Direct Services for Nevada, LLC Contract and Scope of Work](#)
- 13.d. For Possible Action: Request that the City of Yerington's Municipal Court Judge serve as a Justice of the Peace for certain weekend bail hearings and after-hours warrant applications, and approve a corresponding cooperative services agreement with the City of Yerington.
- [Request to Serve as Justice of Peace Per Cooperative Agreement](#)
- [Cooperative Agreement](#)
- 13.e. For Possible Action: Approve additional agreement with conflict counsel under Lyon County's Indigent Defense Plan.
- [Conflict Counsel Agreement \(Andrew Coates, Esq.\)](#)
- 13.f. For Possible Action: Approve a contract with Kathy Terhune, effective July 1, 2022, in the amount of \$67,329.12 for court reporting services. The contract is for one year with two optional annual renewals.
- [Court Reporting Contract with Kathy Terhune](#)
- 13.g. For Possible Action: Approve a contract with Suzanne Rowe, effective July 1, 2022, in the amount of \$67,329.12 for court reporting services. The contract is for one year with two optional annual renewals.
- [Court Reporter Contract with Suzanne Rowe](#)

14. Grants

- 14.a. For Possible Action: Accept grant award revision from State of Nevada Department of Health and Human Services, Account for Family Planning Grants Management Unit, increasing Family Planning Services; in the amount of \$22,172, for a total grant award of \$90,002.
- [Family Planning Services Amendment for Increased Funds](#)
- 14.b. For Possible Action: Approve a subrecipient agreement for \$129,200 with the Boys and Girls Club of Mason Valley whereby Lyon County provides funding towards the E.L. Wiegand Early Learning Center to come from the American Rescue Plan Act funding.
- [Lyon County and Boys and Girls Club Subrecipient Agreement - ARPA](#)
- 14.c. For Possible Action: Approve a subrecipient agreement for \$300,000 with the Central Lyon County Fire Protection District whereby Lyon County provides funding towards two ambulances with funding to come from the American Rescue Plan Act.
- [Lyon County and Central Lyon County Fire Protection District Subrecipient Agreement - ARPA](#)
- 14.d. For Possible Action: Approve a subrecipient agreement for \$300,000 with the North Lyon County Fire Protection District whereby Lyon County provides funding towards an ambulance with funding to come from the American Rescue Plan Act.
- [Lyon County and North Lyon Fire Protection District Subrecipient Agreement - ARPA](#)
- 14.e. For Possible Action: Approve a subrecipient agreement for \$200,000 with the Mason Valley Fire Protection District whereby Lyon County provides funding towards an ambulance with funding to come from the American Rescue Plan Act.
- [Lyon County and Mason Valley Fire Protection District Subrecipient Agreement - ARPA](#)

- 14.f. For Possible Action: Approve a subrecipient agreement for \$200,000 with the Smith Valley Fire Protection District whereby Lyon County provides funding towards an ambulance with funding to come from the American Rescue Plan Act.
- [Lyon County and Smith Valley Fire Protection District Subrecipient Agreement - ARPA](#)
- 14.g. For Possible Action: Approve a subrecipient agreement for \$205,000 with the Silver Springs Mutual Water Company whereby Lyon County provides funding towards a generator purchase and a SCADA system with funding to come from the American Rescue Plan Act.
- [Lyon County and Silver Springs Mutual Water Company Subrecipient Agreement - ARPA](#)
- 14.h. For Possible Action: Approve a subrecipient agreement for \$150,000 with the Dayton Valley Conservation District whereby Lyon County provides funding towards the Carson River Bank Stabilization and Channel Maintenance Project to come from the American Rescue Plan Act funding.
- [Lyon County and Dayton Valley Conservation District Subrecipient Agreement - ARPA](#)

15. Other Consent Items

- 15.a. For Possible Action: Approve the donation of a commercial deep fryer no longer being used at the jail to the South Lyon Medical Center.
- [SLMC Kitchen Equipment Donation Letter](#)
- 15.b. For Possible Action: Review and accept claims and financial reports.
- [Cash Report 6-15-22](#)
- [Claims Report 6-1-22 to 6-15-22](#)
- 15.c. For Possible Action: Review and accept travel claims.
- [Travel Report 6-1-22 to 6-15-22](#)

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

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

16. Planning

- 16.a. For Possible Action: Approve Lyon County's request for a zoning map amendment to change the zoning on an approximately 2.09 - acre parcel from RR-2T (Second Rural Residential – 2 acre minimum, Trailer Overlay) to PF (Public Facilities) located at 158 Garnet Circle, Mound House (APN: 016-221-40)
- [Staff Report](#)
- [Public Comment](#)
- 16.b. For Possible Action: Approve Erik Litak's request for zoning map amendments to change the zoning on three parcels, approximately 392.47 acres in total, from RR-5 (Fifth Rural Residential – 20 acre minimum) to RL (Resource Land) located in Silver Springs (unaddressed) and accessed by Micro Avenue (APNs: 015-521-17, 015-521-25, 015-521-26); PLZ-2022-150, PLZ-2022-151, PLZ-2022-152.
- [Staff Report](#)

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

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

17. Other

- 17.a. For Possible Action: Approve to canvass the vote from the 2022 Primary Election Recount for Governor of the State of Nevada.

18. County Manager

- 18.a. For Possible Action: Approve to cancel or reschedule the July 21, 2022 Board of Commissioners meeting. (Requested by Comm. Henderson)

- 18.b. For Possible Action: To discuss and provide direction to the County Manager in regards to developing a Bill Draft Resolution (BDR) for the 2023 Legislature, which may include: discussion on possible topics for a BDR; direction to staff to research and come back with information related to a possible BDR; and input from the public on possible topics for a BDR. The Board may direct staff to prepare a resolution and bring back to the Board for further consideration.

- 18.c. For Possible Action: Review of Citizen Advisory Board's (CAB) Compliance and procedures. (Requested by Comm. Henderson)
 - [CAB Training Report June 2022](#)
 - [CAB Handbook 2022](#)
 - [CAB Bylaws 2021](#)

19. Community Development

- 19.a. For Possible Action: To propose an ordinance amending Lyon County Code Title 15, land Use and development code; to adopt Chapter 15.240 – Mass Grading Permit in order to identify when a mass grading permit is required; what work is exempt from a mass grading permit; mass grading permit procedures; and expiration of mass grading permit approvals.
 - [Ordinance to amend Title 15 Land Use & Development Code - Mass Grading Permits](#)
 - [Staff Report](#)

- 19.b. For Possible Action: To propose an ordinance amending Lyon County Code Title 15, land Use and development code; to adopt Chapter 15.280 – Street Name Change Requests in order to identify the required submission materials, the application review process and designate the Planning Commission as the decision-making body for proposed street name changes.
Background:
 - [Ordinance to amend Title 15 Land Use & Development Code- Street Name Change Requests](#)
 - [Staff Report](#)

- 19.c. For Possible Action: To propose an ordinance amending Lyon County Code Title 15, land Use and development code; Table 15.320-1, in order to permit additional uses with an approved Conditional Use Permit (CUP) within the Resource Land zoning district. The proposed amendments would add Indoor Shooting Ranges, Archery Ranges, and Skeet/Trap Shooting Range/Course to the uses permitted with a CUP.
 - [Ordinance to amend Title 15 Land Use & Development Code](#)
 - [Staff Report](#)

- 19.d. For Presentation Only: A presentation of the Business Impact Statement that was prepared for the proposed updated Building Department fee schedule in accordance with NRS 237.030 to 237.150, inclusive.
 - [Business Impact Statement](#)
 - [Proposed Fee Schedule](#)
 - [Fee Resolution Exhibit B](#)

20. Utilities

- 20.a. For Possible Action: To find that Ames Construction was the lowest responsive and responsible

bidder for the Aspen Creek Rapid Infiltration Basins and 12-inch Effluent Main Project in Dayton, and issue a Notice of Award and contract for an amount to not exceed \$6,167,673.19 and authorize the Utilities Director to sign project related documents. Project funding will from the Dayton Sewer Fund and ARPA funding that was allocated to this project (David Bruketta).

- Recommendation letter
- Contract
- Notice of Award

RECESS TO RECONVENE AS SILVER SPRINGS GENERAL IMPROVEMENT DISTRICT BOARD

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. Time Certain

22.a. Time Certain for 9:30 AM: For Possible Action: To consider a petition by DG Locust Grove Circle K, LLC., to enlarge the boundaries of the Silver Spring General Improvement District sewer service area to include owners APN 015-181-03.

- Staff Report

23. 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.*

ADJOURN TO RECONVENE AS THE LYON COUNTY BOARD OF COMMISSIONERS

24. 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.*

25. Commissioner Comments

26. 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.*

27. 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.*

28. Adjourn

This agenda has been posted in accordance with the open meeting law at the Lyon County Administrative Complex.

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, audiotope, 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**