



**LYON COUNTY BOARD OF COUNTY COMMISSIONERS
THURSDAY, SEPTEMBER 01, 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 at 9:30 AM. For Presentation Only: A presentation from Hiren Bhavsar, the new Extension Educator for University of Nevada Reno, Lyon County Extension office in Yerington, to introduce staffing and programs.
- 6.b. Time Certain 10.00 AM: For Report Only: Presentations given by Lyon County Community Development, Human Services, County Manager, and outside entities for possible grant submittals to Community Development Block Grant for FY23-24.
- 6.c. Time Certain at 10:30 AM: For Presentation Only: Presentation and update from Ormat Technologies Inc. on geothermal activities in and around Lyon County.

7. Presentation of awards and/or recognition of accomplishments

- 7.a. For Presentation Only: Notification that Lyon County's annual comprehensive financial report for the fiscal year ended June 30, 2021 qualifies for GFOA's Certificate of Achievement for Excellence in Financial Reporting and to recognize Comptroller Josh Foli and his staff for a job well done.
- [Announcement of Award](#)

8. Commissioners/County Manager reports

9. Elected Official's reports

- 9.a. For Report Only: Dayton Justice Court
 - [JUL 2022 - CRIMINAL AND CIVIL STATISTICS](#)
- 9.b. For Report Only: Canal Township Justice Court
 - [July 2022 Statistics](#)

10. Appointed Official's reports

11. Advisory Board reports

- 11.a. For Report Only: County Manager's Office Compliance Update
 - [Staff Report](#)
 - [Open Meeting Law Compliance Letter & Responses](#)
 - [Record Retention Compliance Letter and Responses](#)

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

13. For Possible Action: Approve County Commission Minutes

- 13.a. For Possible Action: Approve the August 18, 2022 regular meeting minutes.
- 13.b. For Possible Action: Approve the August 18, 2022 Waste Franchise Workshop minutes.
 - [Waste Franchise Workshop August 18, 2022 Minutes](#)

14. Grants

- 14.a. For Possible Action: Accept grant award from Nevada Department of Health and Human Services, Aging and Disability Services Division, for FY2023 in the amount of \$120,952, with county match of \$18,143, for Independent Living Transportation services.
 - [FY23 Independent Living Transportation Grant Award](#)
- 14.b. For Possible Action: Accept grant award from Nevada Department of Health and Human Services, Office of Community Partnership and Grants for SFY2023, in the amount of \$39,105.00 for the Family Resource Center (FRC).
 - [FY23 Lyon County Family Resource Center Grant Award](#)
- 14.c. For Possible Action: Accept Child Trust Funds, Notice of Subgrant Award from the State of Nevada, Department of Health and Human Services, Division of Child and Family Services, for SFY2023, in the amount of \$100,880.00, to continue providing parent education, resource connection, and child, caregiver and family screenings with in home visitation to increase parental protective factors in Lyon County.
 - [FY23 Child Trust Fund Grant Award Notice](#)
- 14.d. For Possible Action: Accept grant award from Nevada Department of Health and Human Services,

Aging and Disability Services Division, for FY2023 in the amount of \$87,865.00, with county match of \$13,180.00, for Nevada Care Connection/Aging and Disability Resource Center services.
[-FY23 Nevada Care Connection Notice of Award](#)

15. Other Consent Items

- 15.a. For Possible Action: Review and accept travel claims.
[- Travel Report 8-1-22 to 8-15-22](#)
- 15.b. For Possible Action: Review and accept claims and financial reports.
[- Cash Report 8-15-22](#)
[- Claims Report 8-1-22 to 8-15-22](#)
- 15.c. For Possible Action: Approve the resolution to update the Dayton Regional Advisory Board geographical area description language and the attached map.
[- Dayton Regional Advisory Board Resolution 2022](#)
- 15.d. For Possible Action: Approve the resolution to update the Mason Valley Advisory Board geographical area description language and the attached map.
[- Mason Valley Advisory Board Resolution 2022](#)
- 15.e. For Possible Action: Approve the resolution to update the Mound House Advisory Board geographical area description language and the attached map.
[- Mound House Advisory Board Resolution 2022](#)
- 15.f. For Possible Action: Approve the resolution to update the Silver City Advisory Board geographical area description language and the attached map.
[- Silver City Advisory Board Resolution 2022](#)
- 15.g. For Possible Action: Approve the resolution to update the Silver Springs Advisory Board geographical area description language and the attached map.
[- Silver Springs Advisory Board Resolution 2022](#)
- 15.h. For Possible Action: Approve the resolution to update the Smith Valley Advisory Board geographical area description language and the attached map.
[- Smith Valley Advisory Board Resolution 2022](#)
- 15.i. For Possible Action: Approve the resolution to update the Stagecoach Advisory Board geographical area description language and the attached map.
[- Stagecoach Advisory Board Resolution 2022](#)
- 15.j. For Possible Action: Approve a five-year masterplan for the telephone surcharge.
[- 911 Surcharge Masterplan 2022](#)

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

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

16. Planning

- 16.a. For Possible Action: To approve the request made by Kscale LLC. for a Conditional Use Permit for an energy development to include both Geothermal and Solar Power Generating Systems as well as a research and development facility and modular data centers in Mason Valley (Wabuska) (APN 014-081-05) (PLZ-2022-169)
[- Staff Report](#)
[- Backup Materials](#)

- 16.b. For Possible Action: To approve the request made by Winston Solar FC. LLC/ Dan c. & Tara L. Morose for a Conditional Use Permit to allow a photovoltaic (PV) solar power generating facility including an on-site substation and an on-site operations and maintenance building on a 1,712.50 acre parcel zoned M-1 generally located on the north side of Sierra Drive approximately 0.5 mile east of the US 95A/Sierra Drive intersection, Mason Valley, NV (Wabuska) (APN: 014-091-09) PLZ-2022-167.
- [Staff Report](#)
- 16.c. For Possible Action: To approve the request made by D&G Investments/Rex T. Nishimura Trust for a Zoning Map Amendment to change the zoning on four (4) parcels from C-1 (Neighborhood Commercial) and RR-1 (First Rural Residential – 1 acre minimum) to MFR (Multifamily Residential) and SR ½ (Suburban Residential – ½ acre minimum) located at 14 Warwick Hills Drive, 103 Warwick Hills Drive and 100 Silverado Road, Mason Valley, NV (APNs: 003-021-15/-16/-17/-18) PLZ-2022-160.
- [Staff Report](#)
- 16.d. For Possible Action: To approve the request made by D&G Investments/Rex T. Nishimura Trust for a merger and re-subdivision/tentative parcel map to merge four parcels and re-subdivide into four (4) new parcels (the smallest parcel would be approximately 8,147 square feet) via the parcel map subdivision process to correct two illegal parcels created by deeds and encroachments from existing developments located at 14 Warwick Hills Drive, 103 Warwick Hills Drive and 100 Silverado Road, Mason Valley, NV (APNs: 003-021-15/-16/-17/-18) PLZ-2022-161.
- [Staff Report](#)

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

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

17. County Manager

- 17.a. For Possible Action: Approve allocation of 15 to 20 percent of federal Secure Rural Schools Funding to Title II and/or Title III funding.
- [FY 2022 Title Allocation Election Cover Letter](#)
- [Nevada Expired Elections and Earnings](#)

18. Community Development

- 18.a. For Possible Action: To propose an Ordinance to amend Lyon County Code Title 15, the Lyon County land use and development code Table 15.320-1, in order to permit Agricultural Tourism, subject to a Conditional Use Permit (CUP), in the RR-10 and RR-5 zoning districts, and other matters pertaining thereto.
- [Agricultural Tourism Ordinance \(Track Changes\)](#)
- [Staff Report](#)
- 18.b. For Presentation Only: Presentation on the authority of the Lyon County Board of County Commissioners to enact a building moratorium in Dayton, South of the Carson River (Requested by Comm. Gray)

19. Other

- 19.a. For Possible Action: Approve to change meeting location of the Central Lyon County Parks and Recreation Board from the Silver Springs Hillyard Hall / Senior Center to the Dayton Utilities Building, 34 Lakes Boulevard, Dayton Nevada on the 2nd Wednesday of the month, at 5pm.
- [Letter of Transmittal](#)

- 19.b. For Possible Action: Approve the Pig Fest 2022 Outdoor Festival Permit to be held at the Dayton Rodeo Grounds, 500 Schaad Ln. Dayton NV 89403. Estimated 300-500 people September 16th from 6pm-11pm & 17th from 12am-11pm.
- Outdoor Festival Request
-Staff Report

20. 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.*

21. Commissioner Comments

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.*

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24. 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**