



**LYON COUNTY BOARD OF COUNTY COMMISSIONERS
THURSDAY, FEBRUARY 02, 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 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 Matt Christensen of The Church of Jesus Christ of Latter-day Saints

3. Pledge of Allegiance

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

5. For Possible Action: Review and adoption of agenda

6. Time Certain

6.a. Time Certain at 9:00 AM: For Possible Action: Swearing in of appointed County Commissioner.

7. Presentation of awards and/or recognition of accomplishments

8. Commissioners/County Manager reports

9. Elected Official's reports

9.a. For Report Only: Dayton Justice Court
- [DEC 2022 - CRIMINAL AND CIVIL STATISTICS](#)

9.b. For Report Only: Canal Township Justice Court
- [DECEMBER 2022 FJC STATISTICS REPORT](#)

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. 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](#)

13. For Possible Action: Approve County Commission Minutes

13.a. For Possible Action: Approve the January 09, 2023 minutes.

- [January 9, 2023 Minutes](#)

13.b. For Possible Action: Approve the January 19, 2023 minutes.

- [January 19, 2023 Minutes](#)

14. Contracts

14.a. For Possible Action: Approve Sciarani & Co. as the auditor for the County with the fiscal year costs for fiscal years 2023, 2024, and 2025 being \$75,000, \$77,500, and \$80,000.

- [Lyon Co Audit Fee Proposal 2023-2025](#)

15. Grants

15.a. For Possible Action: Accept a Continuing Education Scholarship award from the Nevada State Library Archives & Public Records for Amy Geddes to attend the Mountain Plains Library Association Joint Library Conference March 8-10, 2023.

- [CE GIA Geddes conference](#)

16. Other Consent Items

16.a. For Possible Action: Approve a budget transfer from General Fund contingency in the amount of \$63,066 to purchase replacement battery systems for three mountaintop communication sites.

16.b. For Possible Action: Approve a resolution of the Lyon County Board of Commissioners to designate signers on bank and investment accounts.

- [Resolution for Bank Account Signers](#)

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

- [Claims Report 1-1-23 to 1-15-23](#)

- [Cash Report 1-15-23](#)

16.d. For Possible Action: Review and accept travel claims.

- [Travel Report 1-1-23 to 1-15-23](#)

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

17. PLANNING CONSENT ITEMS- (Action will be taken on all items)

17.a. For Possible Action: Approval to release the Improvement Bond, accept the Maintenance Bond and accept the Certificates of Completion, for the RIVERPARK PHSE 3, UNITS 16 & 17A, subdivision, located in Dayton, NV.

- [Staff Report and Backup](#)

- 17.b. For Possible Action: Approval to release the Improvement Bond, accept the Maintenance Bond and accept the Certificate of Completion, for the TRADITIONS VILLAGE 1, PHASE 1, subdivision, located in Dayton, NV
- [Staff Report and Backup](#)

****END OF PLANNING CONSENT ITEMS APPLICATIONS****

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

18. Planning

- 18.a. For Possible Action -To approve a Conditional Use Permit request from John Miles to allow for the expansion of a nonconforming use (single-family residential in the CC-Community Commercial, zoning district) for the purpose of constructing a detached garage at 155 Pike Street in the Comstock Historical District – Dayton (APN 006-052-02) PLZ-2022-189.
- [Staff Report](#)
- [Backup Materials](#)

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

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

19. Advisory Board

- 19.a. For Possible Action: Appoint up to one (1) member to the Mound House Advisory Board, with a term expiring December 31, 2024.
- [Jeff Trowbridge, Application](#)

20. County Manager

- 20.a. For Presentation Only: Presentation and update from Northern Nevada Development Authority.
- 20.b. For Possible Action: Approve the Resolution for Lyon County's proposal to exchange real property owned by Lyon County located at 158 Garnet Circle, Mound House, for real property owned by Central Lyon County Fire Protection District located at 56 Red Rock Road, Mound House, all for the purpose of establishing a community center in Mound House, and setting date for a public hearing on the proposed property exchange.
- [Intent to Exchange Property Mound House Community Center Resolution](#)
- [NRS 277.050](#)
- [Notice of Intent to Exchange Property](#)
- 20.c. For Possible Action: Approve a novation agreement to migrate the master services agreement and task orders from Farr West Engineering to DOWL Engineering.
- [Farr West Novation Agreement](#)
- 20.d. For Possible Action: Approve, deny or amend a Resolution of the Lyon County Board of Commissioners terminating a Declaration of Emergency that was declared in Resolution 23-02.
- [Resolution 23-03 Terminating Declaration of Emergency](#)

21. District Attorney

- 21.a. For Possible Action: Acknowledgement of findings of fact and conclusions of law regarding open meeting law complaint OAG FILE NO.: 13897-420. The opinion from the Attorney General's Office is attached to the supporting materials.

22. Sheriff

- 22.a. For Possible Action: Approve a line item in the Lyon County Sheriff's Budget to accept and maintain donations to be utilized for the Junior Deputy Program.

23. Utilities

- 23.a. For Possible Action: Issue a Notice of Award to Aspen Developers Corporation for being the successful bidder on the 10-mile Hill Tank Project in Dayton, authorize a contract with an amount not to exceed \$4,144,000, and authorize the Utilities Director to sign project-related documents. Project funding will come from the Dayton Water Fund. (David Bruketta).

-Notice of Award

-Agreement

-Recommendation of Award

- 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, 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**