



**LYON COUNTY BOARD OF COUNTY COMMISSIONERS
THURSDAY, MARCH 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 John Poundstone of Joy 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 9:00 AM: For Possible Action: Public Hearing to consider and approve 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. If approved, the Board can authorize the Chair to execute any documents necessary to complete the exchange.
- [Resolution 23-05 Intent to Exchange Property Mound House Community Center](#)
 - [NRS 277.050](#)
 - [Newspaper Affidavit](#)

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
- [JANUARY 2023 FJC STATS.](#)

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 February 2, 2023 minutes.
- [February 2, 2023 Minutes](#)
- 12.b. For Possible Action: Approve the February 16, 2023 minutes.
- [February 16, 2023 Minutes](#)

13. Grants

- 13.a. For Possible Action: Accept supplemental grant award from the State of Nevada Department of Health and Human Services (DHHS), for the Community Services Block Grant (CSBG), in the amount of \$2,018.
- [FY23 Community Services Block Grant Supplemental Subaward](#)

14. Other Consent Items

- 14.a. For Possible Action: Review and accept travel claims.
- [Travel Report 2-1-23 to 2-15-23](#)
- 14.b. For Possible Action: Review and accept claims and financial reports.
- [Claims Report 2-1-23 to 2-15-23](#)
- [Cash Report 2-15-23](#)

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

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

15. Planning Consent Items

- 15.a. For Possible Action: Approval to release the Improvement Bond, accept the Maintenance Bond and accept the Certification of Completion, for the Traditions Village 1 Phase 5, subdivision, located in Dayton, NV.
- [Staff Report](#)
- 15.b. For Possible Action: Approval to release the existing Improvement Bond for the Traditions Village 1, Backbone Roadway Network Improvements; and Accept the Certificate of Completion; and replace with a 10% Maintenance/Warranty Bond for that portion of the Backbone Roadway Network improvements up to Sulphur Springs Road; AND, Accept a Reduced Improvement Bond, in the form of a Cashier's Check covering those improvements associated with the Traditions Village 1 Backbone Roadway Network, situated past Sulphur Springs Road; AND, Accept the Maintenance/Warranty Bond and accept the Certificate of Completion, for the portion of the Traditions Village 1, Backbone Roadway Improvements, up to Sulphur Springs Road.
- [Staff Report](#)

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

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

16. Planning

- 16.a. For Possible Action: To approve a Conditional Use Permit request from Lux Solar Center, LLC to allow a Commercial Solar Generation Facility on four parcels generally located between the Union Pacific Railroad tracks and Sierra Way in Wabuska, north Mason Valley (APNs 014-091-02/-03/-20/-21) in the RR-20 (Rural Residential 20 acre minimum) and LI-R (Light-Industrial - Rural) zoning districts. PLZ-2022-210.
- [Staff Report](#)
- [Backup](#)
- 16.b. For Possible Action: To approve a Conditional Use Permit request from Lyon County School District to allow the addition of two office buildings on one parcel (APN 018-356-01) and a shared parking area on two parcels (APNs 018-356-01 and 018-356-02) located to the west of the intersection of Spruce Avenue and Ramsey Weeks Cutoff, south of U.S. Highway 50 in Silver Springs, in the RR-5 (Rural Residential 5 acre minimum) zoning district. PLZ-2022-197.
- [Staff Report](#)
- [Backup](#)
- [Silver Springs Advisory Board Letter of Transmittal](#)
- 16.c. For Possible Action: To approve the request for a Zoning Map Amendment from Schaller Development LLC c/o Project One to change the zoning on nine (9) parcels comprising approximately 497.52 acres south of US Highway 50 in Stagecoach from RR-5 (Fifth Rural Residential District – 20 acre minimum) and RR-2 (Second Rural Residential District – 2 acre minimum) to RR-2 (Rural Residential – 2 acre minimum) in accordance with the Master Plan designation of Specific Plan (APNs: 015-365-01, 015-365-02, 015-365-03, 015-365-04, 015-371-05, 015-371-06, 015-371-07, 015-371-08, 015-451-01) PLZ-2022-206.
- [Staff Report](#)
- [Backup](#)
- [Public Comment](#)
- 16.d. For Possible Action: To approve the request from Schaller Development LLC c/o Project One of a Merger and Re-subdivision/Tentative Subdivision Map of nine (9) parcels comprising approximately 497.52 acres south of US Highway 50 in Stagecoach into 186 single family residential lots with a minimum lot size of 2 acres and a maximum size of 17.7 acres (APNs: 015-365-01, 015-365-02, 015-365-03, 015-365-04, 015-371-05, 015-371-06, 015-371-07, 015-371-08, 015-451-01) PLZ-2022-207.
- [Staff Report](#)
- [Backup](#)
- [Public Comment](#)

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

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

17. Advisory Board

- 17.a. For Possible Action: Approve the Rules and Regulations for Hillcrest Cemetery in Smith Valley. (Requested by Comm. Hockaday)
- [Hillcrest Cemetery Rules & Regulations](#)

18. County Manager

- 18.a. For Possible Action: Approve a 16 month contract with Porter Group, LLC for federal government affairs consulting services. The contract amount is \$120,000.00 (\$7,500.00 per month) plus allowable travel expenses, with \$30,000.00 to be funded from contingency for the remainder of fiscal year 2023. (Requested by Commissioner Henderson)
- [Porter Group Engagement Agreement](#)

- 18.b. For Possible Action: Appoint County Commissioners and staff to the following Boards, Commissions, or Committees for calendar year 2023:
- Comstock Historic District
 - Debt Management Commission
 - Dayton Valley Conservation District (Assemblyman Ken Gray Requested by DVCD)
 - Mason Valley Conservation District
 - Smith Valley Conservation District
 - Nevada Association of Counties
 1. Board of Directors- 1 Commissioner
 2. Legislative Committee - Up to 2 Commissioners
 3. Public Lands and Natural Resources Committee - Up to 2 Commissioners
 - Local Emergency Planning Committee
 - Northern Nevada Development Authority
 - Nevada WORKS
 - Walker River Irrigation District
 - Carson Water Subconservancy District
 - Lyon County Room Tax Board
 - Quarterly Jail Inspection
 - Truckee Canal Safety Commission
 - Lyon County Regional Transportation Commission
 - Quad County Legislative Coalition (Comm. Hockaday and Comm. Henderson appointed 01/03/2023)
 - Carson Area Metropolitan Planning Organization
 - State Land Use Planning Agency
 - Nevada Local Justice Reinvestment Coordinating Council
 - Nevada Commission of the Aging
 - Intergovernmental Executive Committee (Expiring Term of December 31, 2025)
 - [General Responsibilities](#)
 - [Commissioner's Appointments to Boards 2022](#)
 - [Dayton Valley Conservation District Letter](#)
 - [January 03, 2023 Minutes](#)
- 18.c. For Possible Action: Approve a Settlement Agreement dated November 14, 2022 (“Walmart Settlement”) with Walmart and Subdivision Participation Form related to the Opioid Litigation and authorize the Chair to sign the necessary documents to implement the settlement for Lyon County, Nevada.
- [Walmart Settlement Agreement](#)
 - [Walmart Settlement Participation Form \(Exhibit K\)](#)
 - [Opioid Allocation Disbursement - Walmart \(estimated\)](#)

19. Community Development

- 19.a. For Possible Action: Award the Lyon County Solid Waste Disposal Franchise based on the responses received for Request for Proposal #22/10; direct staff to enter into contract negotiations with the winning proposal.
- [Solid Waste Collection and Disposal Franchise RFP 2022](#)
 - [Addendum 1, Solid Waste Collection and Disposal Franchise RFP Q & A](#)
 - [Olcese Waste Services \(RFP #22-10 Submittal\)](#)
 - [Waste Management Services \(RFP #22-10 Submittal\)](#)
 - [C&S Waste Solutions Services \(RFP #22-10 Submittal\)](#)
 - [RFP Price Comparison](#)
 - [RFP Response Comparison](#)

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.*

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.*

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**