



**LYON COUNTY BOARD OF COUNTY COMMISSIONERS
THURSDAY, APRIL 06, 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 Thomas Walburn of Sweet Water Christian Fellowship

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 9:30 a.m.: For Possible Action: Presentation and Proclamation declaring April 2023 as Child Abuse Prevention Month in Lyon County, Nevada.
 - [Presentation](#)
 - [April as Child Abuse Prevention Month Proclamation](#)

7. Presentation of awards and/or recognition of accomplishments

- 7.a. For Presentation Only: Present Deputy Derek Daniel with life saving award.
 - [Letter of Recommendation](#)
- 7.b. For Presentation Only: Express sincerest appreciation to volunteer organizations for their efforts associated with atmospheric river floods and winter weather events.

8. Commissioners/County Manager reports

9. Elected Official's reports

- 9.a. For Report Only: Canal Township Justice Court
 - [FEBRUARY 2023 FJC 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. 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.
- [Unsecured Factual](#)

13. For Possible Action: Approve County Commission Minutes

- 13.a. For Possible Action: Approve the March 10, 2023 Emergency Meeting minutes.
- [March 10, 2023 Emergency Meeting Minutes](#)
- 13.b. For Possible Action: Approve the March 16, 2023 Minutes.
- [March 16, 2023 Minutes](#)

14. Contracts

- 14.a. For Possible Action: Approve Contract for Ledezma-Aguilar Garden Services for the amount of \$800.00 per month. This is for the maintenance of the medians on Dayton Valley Rd. Authorize the County Manager to sign Documents.
- [Dayton Valley Rd Median Proposal 2023](#)
- 14.b. For possible Action: Approve to go out to bid for the 2023 RTC Project in the Stagecoach and Silver Springs area for chip sealing, fog sealing, crack sealing and approve the proposals from Dowl for bid preparations, bidding and construction management.
- [Dowl Task Order](#)
- [2023 CHIPSEAL-SLURRY PROJECT STG-SS](#)

15. Grants

- 15.a. For Possible Action: Accept grant award amendment from State of Nevada Department of Health and Human Services, Account for Family Planning Grants Management Unit, redirecting \$6,204.00 from "Other" to "Training" to provide Family Planning Health Worker training and certification
- [FY22 Family Planning Services Grant Amendment 2](#)
- 15.b. For Possible Action: Accept grant award from Aging and Disability Services Division (ADSD), State of Nevada, for FY2023 Nutrition Services Incentive Program (NSIP) in the amount of \$57,788.00.
- [FY23 Nutrition Services Incentive Program Grant Award](#)
- 15.c. For Possible Action: Accept the Notice of Subgrant Award Amendment from the State of Nevada, Department of Health and Human Services, Division of Public and Behavioral Health, for SFY2023, to increase funding in the amount of \$43,926.13 for a total of \$152,224.13 and extend the grant period to an ending date of December 31, 2023.
- [FY23 American Rescue Plan Act Grant Amendment 3](#)
- 15.d. For Possible Action: Approve the Authorizing Resolution allowing the Director of Lyon County Human Services to apply for Nevada Department of Transportation grant funding to aid in the financing of capital and operating assistance projects.

-Nevada Department of Transportation Authorizing Resolution

16. Other Consent Items

- 16.a. For Possible Action: Approve the annual Virginia City Hillclimb event for September 16-17th, 2023 (requested by Ferrari Club of America-Pacific Region).
 - [Letter of Request](#)
- 16.b. For Possible Action: Approve a resolution renaming the Silver and Gold Fund to become the Senior Services Fund.
 - [Resolution Renaming the Silver and Gold Fund to the Senior Services Fund](#)
- 16.c. For Possible Action: Review and accept claims and financial reports.
 - [Cash Report 3-15-23](#)
 - [Claims Report 3-1-23 to 3-15-23](#)
- 16.d. For Possible Action: Review and accept travel claims.
 - [Travel Report 3-1-23 to 3-15-23](#)

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

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

17. Planning Consent Items

- 17.a. For Possible Action: Approval to release the Improvement Bond, accept the Maintenance Bond and accept the Certificates of Completion, for the HERITAGE RANCH ESTATES SUBDIVISION, PHASES 1 & 2, located in Dayton, NV.
 - [Staff Report and Backup](#)

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

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

18. Planning

- 18.a. For Possible Action: To approve the request for a Zoning Map Amendment from Microsoft Corporation to change the zoning on five (5) parcels comprising approximately 30.88 acres in Silver Springs from RVP (Recreational Vehicle Park District), MHP (Mobile Home Park District) and C-1 (Limited Commercial District) to NC (Neighborhood Commercial) in accordance with the existing Master Plan designation of Commercial (APNs: 018-551-03, 081-551-04, 018-552-01, 018-552-02, & 015-141-04) PLZ-2023-002.
 - [Staff Report](#)
 - [Backup](#)
 - [Advisory Board Letter of transmittal](#)
- 18.b. For Possible Action: To approve a Conditional Use Permit request from Blackcomb Property Group, LLC to allow a Self-storage/RV Storage facility in the CC (Community Commercial) zoning district on one three-acre parcel generally located to the southwest of the intersection of Dayton Valley Road and Como Road, west of the Carson River and U.S. Highway 50, at 222 Dayton Valley Road in Dayton (APN 006-091-10) PLZ-2022-213.
 - [Continuance Request](#)
 - [Staff Report](#)
 - [Backup](#)
 - [Advisory Board Letter of Transmittal](#)

- 18.c. For Possible Action: To approve a request to extend the time period in which to record a final subdivision map, or the first in a series of final subdivision maps, by Stan Lucas for the Traditions Village 2 tentative subdivision map, approved on May 2, 2019 for a total area of approximately 101.12 acres, including a maximum of 195 single family residential lots on approximately 75.86 acres plus four (4) Remainder Parcels. The residential lots range in size from 9,000 square feet to over 22,000 square feet. The site is generally located north east of Nevada Station Parkway and north of the US 50/Traditions Parkway intersection in Dayton (APN: 016-406-13) PLZ-18-0013.
- Staff Report
 - Backup

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

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

19. Commission and Advisory Board

- 19.a. For Possible Action: Acknowledge resignation from Greg Clausen from the Lyon County Planning Commission.
- Resignation Letter
- 19.b. For Possible Action: Appoint a member to the Planning Commission, with a term expiring December 31, 2026.
- Report of Planning Items and Current Commissioners
 - Clerk Affidavit
 - Jeff Le Grand, Application
 - Jimmie A. Richards, Application
 - Mark Hamilton Jones, Application
 - Michael Weiss, Application
 - Shannon Ceresola, Application
 - Suzanne Armstrong, Application
- 19.c. For Possible Action: Acknowledge resignation from Daryllyn Sinnette-Diffenbaugh from the Animal Control Advisory Board.
- Resignation Letter
- 19.d. For Possible Action: Appoint a member to the Animal Control Advisory Board, with a term expiring December 31, 2024.
- Amber Nelson, Application
- 19.e. For Possible Action: Appoint up to two (2) members to the Fair Board, with terms expiring December 31, 2026.
- Paul Silva, Application
- 19.f. For Possible Action: Acknowledge resignation from Margaret "Peggy" Quigg from the Lyon County Library Board of Trustees.
- Resignation Letter

20. County Manager

- 20.a. For Possible Action: Authorize and select County Commissioners and/or County Manager to attend the 2023 NACo (National Association of Counties) Annual Conference and Exposition in Travis County, Austin Texas July 21-24, 2023, for an approximate cost of \$3,500/person. (Requested by Commissioner Hockaday)
- 20.b. For Possible Action: To discuss and provide direction to the County Manager regarding legislation for

the 82nd session of the Nevada Legislature, Legislation includes Senate Bill 421, Senate Bill 432, Senate Bill 338, and Senate Bill 233.

- [SB421](#)
- [SB432](#)
- [SB338](#)
- [SB233](#)
- [SB 233 Fiscal Note](#)

21. Comptroller

- 21.a. For Possible Action: Approve critical labor shortage designations for the Building Inspector and Plans Examiner positions.
- [Building Inspector and Plans Examiner CLS Findings](#)

22. District Attorney

- 22.a. For Possible Action: Approve Settlement Agreement to resolve lawsuit filed by Stanley H. Lucas against Lyon County et al related to the Traditions Villages Subdivision, wherein Lyon County waives depreciation payment from Stanley H. Lucas of \$200,801.44, and agrees to pay \$25,000 to Stanley H. Lucas to resolve all claims with no parties admitting liability, and the county will receive \$75,000 to offset the depreciation waiver. The funding for the settlement is paid by the Nevada Public Agency Insurance Pool.
- [Settlement Agreement Lucas v. Lyon County](#)

23. Clerk/Treasurer

- 23.a. For Possible Action: Approve Resolution for County Investment Policy
- [LYON COUNTY INVESTMENT POLICY FHN MAIN \(Track Changes\)](#)
 - [LYON COUNTY INVESTMENT POLICY FHN MAIN \(Final\)](#)

24. Other

- 24.a. For Presentation and Discussion: Presentation and update from the Lyon County Public Administrator Bob Getto.
- 24.b. For Possible Action: Approve an Agreement with the Walker River Irrigation District to lease 29.9459- acre feet of Lyon County Fairgrounds, Inc. Stored Water Rights, until October 31, 2023, for \$147 per each acre-foot.
- [Stored Water Program Fairgrounds Application](#)
 - [Walker River Irrigation District Stored Water Program Participant Agreement \(Fairgrounds\)](#)

RECESS TO RECONVENE AS WILLOWCREEK GENERAL IMPROVEMENT DISTRICT BOARD

25. Public Participation

26. Contracts

- 26.a. For Possible Action: Approve an Agreement with the Walker River Irrigation District to lease 30.89- acre feet of Penrose General Improvement District. Stored Water Rights, until October 31, 2023, for \$147 per each acre-foot.
- [Stored Water Program Penrose GID Application](#)
 - [Walker River Irrigation District Stored Water Program Participant Agreement \(Penrose General Improvement District\)](#)

27. Reports

- 27.a. For Possible Action: Review and accept claims and financial reports.
- [Cash Report 3-15-23](#)
- [Claims Report 3-1-23 to 3-15-23](#)

28. Public Participation

ADJOURN TO RECONVENE AS THE LYON COUNTY BOARD OF COMMISSIONERS

- 29. 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.*

30. Commissioner Comments

- 31. 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.*

- 32. 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.*

33. 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**