



**LYON COUNTY BOARD OF COUNTY COMMISSIONERS
THURSDAY, SEPTEMBER 07, 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 may be attended in person or via virtual Zoom, if available. Virtual public comment may be given if you are attending the virtual Zoom meeting 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 be mailed to the Lyon County Manager's Office at 27 S. Main Street, Yerington, Nevada 89447, or emailed to countyclerks@lyon-county.org, be sure to type, PUBLIC COMMENT in the subject line. Comments must be received the day prior to the date of the meeting by 4:00 P.M. for the comments to be included in the meeting. Any written public comments received after the aforementioned time 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.

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 Presentation Only: Presentation on Fire Adapted Nevada/fire safety from the Nevada Division of Forestry, Kelli Nevills.
- 6.b. Time Certain at 9:15 AM - For Possible Action: Presentation from the City of Fernley on the U.S. Bureau of Reclamation's Truckee Canal Extraordinary Maintenance project, impacts from the project, and the status of associated litigation. (David H. Rigdon, Esq.)
- 6.c. Time Certain at 9:30 AM - For Presentation Only: Presentation by Toni Inserra, Administrator of South Lyon Medical Center, on the Second Phase of Life Event.

7. Presentation of awards and/or recognition of accomplishments

- 7.a. For Presentation Only: Present Life Saving Awards issued to Deputy Levi Bell and Deputy Ariana Mendoza.
- [Recommendation Letter](#)

8. Commissioners/County Manager reports

9. Elected Official's reports

- 9.a. For Report Only: Canal Township Justice Court Statistics Report
- [JULY 2023 STATISTICS](#)
- 9.b. For Report Only: Dayton Justice Court Statistics Report
- [CRIMINAL AND CIVIL STATISTICS JULY 2023](#)

10. Appointed Official's reports

11. Advisory Board reports

12. 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.a. For Possible Action: Review and accept claims and financial reports.
 - [Cash Report 8-15-23](#)
 - [Claims Report 8-1-23 to 8-15-23](#)
- 12.b. For Possible Action: Review and accept travel claims.
 - [Travel Report 8-1-23 to 8-15-23](#)
- 12.c. For Possible Action: Approval of changes on Assessor's tax roll due to correction in assessments and review of tax roll changes.
 - [Secured Factual Corrections](#)
 - [Unsecured Factual Corrections](#)
- 12.d. For Possible Action: Approve August 3, 2023 Minutes
 - [August 3, 2023 Minutes](#)
- 12.e. For Possible Action: Approve the August 17, 2023 Minutes
 - [August 17, 2023 Minutes](#)
- 12.f. For Possible Action: Approve the August 28, 2023 Code Enforcement Workshop Minutes
 - [August 28, 2023 Minutes](#)
- 12.g. For Possible Action: Approve amendment #3 to an easement deed between Lyon County and the State of Nevada for a water main that runs through the Dayton State Park (David Bruketta).
 - [Amendment 3: Easement with State Lands](#)
- 12.h. For Possible Action: Accept a \$5,000.00 "Technology Grant" check from NCIC Inmate Communications.
 - [NCIC Technology Grant](#)
- 12.i. For Possible Action: Approve an MOU between the Lyon County Sheriff's Office and the Yerington Paiute Tribe and the Yerington Paiute Tribal Police for emergency law enforcement services.
 - [MOU with Yerington Paiute Tribal Police and Tribe](#)
- 12.j. For Possible Action: Accept the "Joining Forces Project Agreement" grant in the amount of \$37,000.00 from The State of Nevada Department of Public Safety Office of Traffic Safety, and to authorize the Sheriff to sign.
 - [Joining Forces Grant with the Sheriff's Office](#)
- 12.k. For Possible Action: Approve Forensic support services agreement between Washoe County on behalf of the Washoe County Sheriff's Office and Lyon County on behalf of the Lyon County Sheriff's Office in the amount of \$131,264.00.
 - [Washoe Forensics Agreement](#)
- 12.l. For Possible Action: Accept the donation from the North Lyon County Fire Protection District of an ambulance to the Lyon County for Search and Rescue functions.
- 12.m. For Possible Action: Accept a grant award from the Nevada Department of Business & Industry, Housing Division for FY2024 in the amount of \$80,000.00, for the Account for Affordable Housing Trust Fund, to provide housing services to Lyon County.
 - [FY24 Account for Affordable Housing Trust Fund Agreement](#)

- 12.n. For Possible Action: Accept a grant award revision from the Nevada Department of Health and Human Services, Aging and Disability Services Division, for de-obligation of FY2023 Homemaker Services in the amount of \$3,414.33, for a total grant award of \$96,260.67.
- [FY23 Homemaker Services Grant De-obligation Amendment 1](#)
- 12.o. For Possible Action: Accept a grant award from the Nevada Department of Health and Human Services, Aging and Disability Services Division, for FY2024 in the amount of \$14,904.00, with a County match of \$2,236.00, for In-Home Support services.
- [FY24 In-Home Supports Notice of Subaward](#)
- 12.p. For Possible Action: Accept a grant award from the Nevada Department of Health and Human Services, Division of Child & Family Services for SFY2024, in the amount of \$138,032.00, for the Differential Response program.
- [FY24 Differential Response Notice of Subaward](#)
- 12.q. For Possible Action: Accept a grant award from the Nevada Department of Health and Human Services, Aging and Disability Services Division, for FY2024 in the amount of \$99,675.00, with a County match of \$14,951.00, for Homemaker services.
- [FY24 Homemaker Notice of Subaward](#)
- 12.r. For Possible Action: Accept a grant award from the Nevada Department of Health and Human Services, Division of Public & Behavioral Health, Office of Maternal, Child, and Adolescent Health for FY2024, in the amount of \$40,051.00 for Family Planning.
- [FY24 Family Planning Services Notice of Subaward](#)
- 12.s. For Possible Action: Accept grant award from Nevada Department of Health and Human Services, Aging and Disability Services Division, for FY2024 in the amount of \$91,596.72, with a County match of \$13,740.00, for Nevada Care Connection/Aging and Disability Resource Center services.
- [FY24 Nevada Care Connection Notice of Subaward](#)
- 12.t. For Possible Action: Approve the FY2024 Notice of Subcontract Award from Nye County Communities Coalition to supplement Opioid Misuse services through training and supplies in the amount of \$5,000.00 with no match.
- [FY24 HRSA Nye Communities Coalition Formidable 14 SubAward](#)
- 12.u. For Possible Action: Approve Opioid Settlement Agreement with Teva Pharmaceutical in accordance with the Nevada One Agreement with payments in various annual installments over a twenty (20) year period beginning July 1, 2024, and authorize Chairman or County Manager to execute related documents.
- [Exhibit B - Teva-Nevada Release](#)
- [Teva Settlement Estimated Allocation](#)
- [Teva-Nevada Settlement \(Term Sheet and Exhibits and Amended Exhibit C\) - Final](#)
- 12.v. For Possible Action: Approve Settlement Agreement with Walgreens in the Opioid Litigation with equal installments paid over fifteen (15) years allocated in accordance with the Nevada One Agreement, and authorize Chairman or County Manager to execute required documents.
- [Exhibit A - Walgreens-Nevada Release](#)
- [Walgreens Settlement Estimated Allocation](#)
- [Walgreens-Nevada Settlement \(Term Sheet and Exhibits\)](#)

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

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

13. Planning

- 13.a. For Possible Action: Approve the request for a Zoning Map Amendment from Aspen Creek 2022, LLC, to reconfigure the zoning boundaries of a dual-zoned, 612.85-acre parcel with RR-20 (Fifth Rural Residential - 20 Acre Minimum) and SR-12,000 (Suburban Residential - 12,000 Sq. Ft. Minimum) districts located approximately 2.6 miles to the east of the intersection of U.S. Highway 50 and Fort Churchill Road at 1455 Fort Churchill Road in Dayton (APN 016-023-02) PLZ-2023-041.
- [Staff Report](#)
- [Backup](#)
- 13.b. For Possible Action: Approve the request for a Tentative Subdivision Map from Aspen Creek 2022, LLC to create a 499-lot single-family residential subdivision on a 612.85-acre parcel located approximately 2.6 miles to the east of the intersection of U.S. Highway 50 and Fort Churchill Road at 1455 Fort Churchill Road in Dayton (APN 016-023-02) PLZ-2023-042.
- [Staff Report](#)
- [Backup](#)

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

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

14. Advisory Board

- 14.a. For Possible Action: Appoint a member to the Planning Commission with a term expiring December 31, 2024.
- [Betty Retzer, Application](#)
- [Wendy Loomis, Application](#)
- [Jimmie Alan Richards, Application](#)
- [Kathryn Baker, Application](#)
- [Shannon Lee Cresola, Application](#)
- 14.b. For Possible Action: Appoint up to two members to the Smith Valley Park and Recreation Board with one term expiring December 31, 2023, and the other term expiring December 31, 2024.
- [M. Kameron Hawkins, Application](#)
- [Celeste A. Thornhill, Application](#)
- 14.c. For Possible Action: Acknowledge the resignation of Charlotte F. Guthrie from the Lyon County Fair Board.
- [Resignation Letter](#)

15. Utilities

- 15.a. For Possible Action: Approve a payment of \$30,950.00 for a storm drain easement across APNs 016-341-08, 016-341-34 and 016-341-35.
- [Stormwater Easement Appraisal](#)

16. Clerk/Treasurer

- 16.a. For Possible Action: Approve purchase of Central Ballot Scanning System with shipping in the amount not to exceed \$28,859.00 to be funded from a budget transfer from General Fund contingency.

17. Comptroller

- 17.a. For Possible Action: Approve a five-year masterplan for the telephone surcharge.
- [911 Surcharge Masterplan 2023-24](#)

18. Road

- 18.a. For Possible Action: Approve Improvement Agreement between Lyon County and Copper Canyon 2016, LLC, for Copper Canyon 2016, LLC to make certain improvements in the NDOT right of way and to authorize the county to make application, with the landowner responsible for all the costs and construction and maintenance until the improvements are accepted by Lyon County or NDOT for maintenance, and to authorize the County Manager to sign.
- [Offsite Improvement Agreement with NDOT \(Copper Canyon\)](#)

19. County Manager

- 19.a. For Possible Action: Approve notice of award to the lowest responsive bidder, American Road Maintenance, in the amount of \$302,525.50 for the Silver Springs Airport to rehabilitate Runway 06/24 and Taxiway A.
- [Notice of Award to American Road Maintenance](#)
 - [Award Recommendation Letter](#)
 - [Bid Tab](#)

RECESS TO RECONVENE AS WILLOWCREEK GENERAL IMPROVEMENT DISTRICT BOARD

- 20. 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.*

21. Other

- 21.a. For Possible Action: Approve a Resolution authorizing the sale of real property described as Lyon County APN 003-082-04, an approximate 2,500 square foot landlocked parcel, owned by the Willowcreek General Improvement District for THREE HUNDRED AND FIFTY DOLLARS (\$350.00) to the adjoining property owners because the property is not needed by the District.
- [Resolution to Sell Parcel](#)

- 22. 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.*

23. 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 agendaized) - 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

Pursuant to NRS 241.020, the agenda has been posted at the following locations: Lyon County Administrative Complex (27 S. Main Street, Yerington, NV), the Lyon County Website: <https://www.lyon-county.org>, and the State Website: <https://notice.nv.gov>. Supporting documentation for the items on the agenda is available to members of the public at the County Manager's Office (27 S. Main Street, Yerington, NV), by phone (775)463-6531, or by email requests to countyclerks@lyon-county.org.

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**