

The Honorable Board of Lyon County Commissioners met this day with the following present: Comm. Wes Henderson, Comm. Robert Jacobson, Comm. Dave Hockaday, Comm. Vida Keller, and Comm. Ken Gray. Also present: District Attorney Steve Rye, and County Manager Jeff Page.

1. Roll Call

Present: Ken Gray, Vida Keller, Wes Henderson, Robert Jacobson, and Dave Hockaday.

2. Invocation given by John Poundstone of Joy Church

The invocation was given by John Poundstone.

3. Pledge of Allegiance

4. Public Participation

Scott Keller commented he would recommend the advisory boards volunteers receive awards and to recognize their service.

5. For Possible Action: Review and adoption of agenda

Comm. Gray moved to approve the agenda as presented. Comm. Henderson seconded and the motion passed 5-0.

6. Time Certain

6.a. Time Certain at 9:00 AM: For Possible Action: Swearing in of newly elected and re-elected officials.

Judge Aberasturi swore in the newly elected and re-elected officials.

6.b. Time Certain at 9:00 AM: For Possible Action: Elect the Board of County Commissioners Chair and to fix the term of office for the Chair as required by NRS 244.070.

Comm. Henderson moved to appoint Comm. Keller to serve as Chairman for 2021, and until the first meeting of 2022. Comm. Gray seconded and the motion passed 5 – 0.

6.c. Time Certain at 9:00 AM: For Possible Action: Elect the Board of County Commissioners Vice Chair and to fix the term of office for the Vice Chair as required by NRS 244.070.

Comm. Keller moved to appoint Comm. Gray to serve as Vice-Chair for 2021, and until the first meeting of 2022. Comm. Jacobson seconded and the motion passed 5 – 0.

6.d. Time Certain at 9:30 AM: For Presentation Only: County Manager to present a workshop on roles and responsibilities of the Lyon County Departments.

County Manager Jeff Page gave a presentation of the roles and responsibilities for the Assessor, Clerk/Treasurer, Community Development, Comptroller, County Manager, District Attorney, Facilities, Fleet, Human Resources, Human Services, Justice Court: Dayton Township, Justice Court: Fernley Canal Township, Library, NNDA (Outside Entity), Recorders, Road Department, and the Utilities departments.

Comm. Jacobson asked if having the HR Department causes a conflict of interests being under the comptroller.

Jeff Page stated he does not believe this creates a conflict of interest. Since the comptroller is not overseeing the department, the reports go to HR for review and goes to him as needed.

Comm. Hockaday asked what the term “differential response” means.

Jeff Page stated he will have Shayla Holmes give that definition.

Jeff Page gave a presentation of General Fund Revenues and Expenditures, and an overview of process and procedures. He reviewed services provided by the other local governments: Fire Departments, GID, Silver Springs Water, South Lyon Medical Center, City of Fernley, City of Yerington, Nevada Division of Environmental Protection, Nevada Department of Human Services, Nevada Department of Transportation, Pool Boards, Irrigation Districts, and Conservation Districts. He reviewed with the Board their responsibilities, challenges and opportunities, projects, and working together.

Human Services Director Human Shayla Holmes responded, the term “differential response” is preventing neglect and to help families through a program that is not associated with the State.

7. Presentation of awards and/or recognition of accomplishments

There were no awards given.

8. Commissioners/County Manager reports

Comm. Gray acknowledged his appreciation to be a commissioner and will do his best.

Comm. Jacobson gave his appreciation to be a commissioner. He thanked Joe Mortensen for his guidance.

Comm. Henderson thanked the community and is looking forward to working with the Board.

Comm. Hockaday thanked Jay Dini and the vote of the community to be a Commissioner.

Comm. Keller thanked the returning Comm. Gray, and the newly electeds. She commented a Happy New Year for everyone.

County Manager Jeff Page welcomed the Board. He stated he met with Comm. Jacobson and Henderson and hopes to meet with Comm. Hockaday to review current status. COVID vaccines are available for Tier 1 personnel. The Animal Shelter Grand Opening was last week. He commented to the Board, there will be some challenges as a Commissioner. He reminded the Board there is a Resolution on their interactions with staff. He asked for them to not give them direction, but to communicate any concerns they have and to work as a team.

Comm. Gray asked if there will be a public grand opening for the Animal Shelter.

Jeff Page stated he will discuss this with facilities and anticipates it could be scheduled in the spring.

9. Elected Official's reports

9.a. Dayton Justice Court

- Civil, Criminal & Monthly Statistics November 2020

There were no other reports given.

10. Appointed Official's reports

Comptroller Josh Foli reported he will have a budget workshop with the Board. The beginning fund balance and Consolidated Tax is higher than anticipated. He asked if the Board has recommendations for the budget to address himself or Jeff Page. Options would be to evaluate positions that were not funded in the beginning of the year, promotions, or one time purchases.

Comm. Gray gave a recommendation for the Dayton Valley Events Center which has a water compliance issue to be addressed. He is in support to direct funds to Capital Improvements over hiring.

Comptroller Josh Foli addressed a concern of the Dayton Justice Center, to be able to hold jury trials. Josh Foli stated he will present a variety of needs at the workshop. He said the budget process will be on March 31, 2021- April 2, 2021. He stated the software for the Assessor and Clerk-Treasurer has been implemented. Josh Foli asked for direction from the Commissioners regarding the travel reports to be approved on every agenda. He researched if there is a State Statute, County Code, and policy does not require for the Commissioner's to approve the travel reports. He stated it is public information and can be presented upon request. An option is to remove them from the agenda since the Commissioners approve the policy for travel. He monitors the guidelines are being followed.

Comm. Gray stated he does not want the travel reports to be removed. There was an instance where the Board did have a discrepancy that was addressed.

Comm. Henderson asked for it to be on for at least six months.

Comm. Keller stated she agrees with Comm. Gray.

11. Advisory Board reports

Central Lyon County Park Board and Silver Springs Advisory Board Chair Scott Keller stated the Advisory Boards have not been meeting due to COVID. He invited the Commissioners to tour the parks to review

the status. The Silver Springs Advisory Board would invite them to a meeting and open communication, not only between the Board members but also with the community.

CONSENT AGENDA

Comm. Henderson moved to approve the consent agenda items #12– 14.d.

Comm. Gray seconded.

Comm. Keller asked for public participation, there was none, and the motion passed 5-0.

12. Assessor's Corrections

12.a. Approval of changes on Assessor's tax roll due to correction in assessments and review of tax roll changes.

- Unsecured Factual

Unsecured Factual Corrections totaled \$844.36.

13. For Possible Action: Approve County Commission Minutes

13.a. For Possible Action: Approve the December 17th, 2020 minutes.

- December 17, 2020 Minutes

The December 17th minutes were approved.

14. Other Consent Items

14.a. For Possible Action: Approve BIA contract extension an additional 6 months to the original contract for housing of BIA inmates in the detention facility. Seeking Board approval for the Sheriff to sign the contract extension. Current Contract expires on December 31, 2020.

- BIA contract extension

14.b. For Possible Action: Approve surplusing all items at the old Fernley Senior Center and authorize any of the items to be donated to the Boys and Girls Club.

- Staff Memo

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

- Cash Report 12-15-20

- Claims Report 12-1-20 to 12-15-20

The cash balance as of December 15, 2020 was \$66,790,667.35. County claims totaled \$1,350,060.00 and payroll totaled \$1,426,746.20.

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

- Travel Report 12-1-20 to 12-15-20

Travel claims totaled as of December 15, 2020 was \$951.48.

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

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

15. Planning

15.a. For Possible Action: Park River Split Ranch LLC – Conditional Use Permit – Request to allow for a manufactured home to be used for farm labor housing replacing an existing, on-site, single family residential dwelling located on a 626.15 acre parcel zoned RR-5 (Fifth Rural Residential – 20 acre minimum); located at 856 State Route 208, Yerington, NV (APN 012-361-28)(PLZ-20-0027).

Planner Rob Pyzel gave an overview of the staff report. He stated by a majority vote (6 Ayes; 0 Nay; 1 absent) the Planning Commission voted to forward a recommendation of approval. Staff recommended approval of the application. The applicant proposes to remove the existing 1920's-era house located at the front of the property that is currently being used for farm labor housing. They wish to replace the removed stick-built house with a manufactured home also to be used for farm labor housing to be located north of the existing single family detached residence. The new manufactured home would tie into the existing septic system and domestic well lines that lead into the to-be-removed 1920's-era house.

Comm. Gray moved to approve Park River Split Ranch LLC – Conditional Use Permit – Request to allow for a manufactured home to be used for farm labor housing replacing an existing, on-site, single family residential dwelling located on a 626.15 acre parcel zoned RR-5 (Fifth Rural Residential – 20 acre

minimum); located at 856 State Route 208, Yerington, NV (APN 012-361-28) (PLZ-20-0027), based on the recommended findings and subject to the following conditions:

1. Any modification, expansion, intensification or material change in use or operation shall require an application for, and public hearings on an amendment to the Conditional Use Permit use pursuant to Lyon County Code.
2. The applicant shall comply with all state, federal and local government regulations to the satisfaction of the appropriate agencies.
3. For as long as the parcel is designated by the Assessor as agricultural, the landowners may provide the manufactured home for use as farm labor housing for the landowner. The housing unit may include cooking facilities and must comply with United States Department of Labor standards per Title 20, Chapter V of the Code of Federal Regulations. The applicant shall provide evidence to the satisfaction of the Planning Department that the housing complies with United States Department of Labor Standards per Title 20, Chapter V of the Code of Federal Regulations prior to the issuance of a manufactured home setup permit.
4. The well and water system intended to accommodate agricultural labor potable water needs shall be approved by the Nevada State Division of Water Resources and/or the Nevada Division of Environmental Protection. The applicant shall provide the County with evidence that the State has approved the well for potable water service for the number of farm laborers who will rely upon it for drinking, bathing and cooking purposes, including sufficient water rights that can be dedicated to this use, if applicable prior to issuance of a manufactured home setup permit.
5. The applicant shall provide satisfactory evidence of approval by the Nevada Division of Environmental Protection of individual sewage disposal system for the manufactured home prior to issuance of a manufactured home setup permit.
6. The applicant shall comply with all applicable fire, building, and zoning code requirements.
7. All outdoor lighting shall employ cut-off shields that direct the light from the source down and not create glare or allow light to spill onto adjoining properties.
8. The substantial failure to comply with the conditions imposed on the issuance of this conditional use permit or the operation of the conditional use in a manner that endangers the health, safety or welfare of Lyon County or its residents or the violation of ordinances, regulations or laws in the conditional use may result in the institution of revocation proceedings. Failure to initiate the conditional use permit within one (1) year from the date of approval will result in the expiration of the conditional use permit approval.

The applicant Nancy Park stated she had no comment.

Comm. Henderson seconded.

Comm. Keller asked for public participation and there was none.

The motioned passed 5-0.

15.b. For Possible Action: Russ Harig & Camille Vecchiarelli – Right-Of-Way Abandonment – Request to abandon approximately 335.33 feet of a fifty foot right-of-way adjacent to the northerly boundary of Lot 1, Parcel A of the Dayton Valley Ranches, 375 Comstock Road, Dayton, NV (APN 019-131-13) (PLZ-2020-0011).

Planner Rob Pyzel gave a report of the contents of the staff report. He stated by majority vote (6 Ayes; 0 Nay; 1 Absent) the Planning Commission voted to forward a recommendation of approval. The right-of-way to be abandoned is undeveloped and unused by the surrounding parcels. The parcel currently has access with an easement that Comstock Road occupies and connects directly to Dayton Valley Road. Staff recommended approval subject to the findings in the staff report. He reviewed the concern from the public is to maintain the public right-of-ways.

Comm. Keller asked if the right-of-way has been used as access to the other larger lots.

Rob Pyzel stated the right-of-way through Austin has been abandoned.

Comm. Keller asked for questions or comments and there were none.

Comm. Gray moved to approve the Russ Harig & Camille Vecchiarelli – Right-Of-Way Abandonment – Request to abandon approximately 335.33 feet of a fifty foot right-of-way adjacent to the northerly boundary of Lot 1, Parcel A of the Dayton Valley Ranches, 375 Comstock Road, Dayton, NV (APN 019-131-13) (PLZ-2020-0011), based on the recommended findings and subject to the following conditions:

1. Street reapportionment shall be as required in NRS 278.480 (7).
2. Should any public utility easement require abandonment as part of this action, documentation of the release of interest by all affected utility purveyors with interest shall be obtained prior to

recording any abandonment or vacation documents. Easements needed for existing utilities shall be continued and/or provided.

3. The applicant shall record a Record of Survey and amended deeds that depict the revised configuration of the affected parcels and all public utility easements to remain.

Comm. Jacobson seconded.

Applicant Russell Harig stated it is a dead end and not being utilized.

Comm. Keller asked for public participation.

Public Participation:

Tom Hoffert stated his concern is to have access to the back of his property. He requested a guarantee for access. He acknowledged it is not a public right-of-way.

Comm. Keller asked Rob Pyzel for direction.

Rob Pyzel stated it is not for public access and to allow the two private parties to work it out.

Scott Keller asked who has liabilities for the property and is it Lyon County.

Comm. Keller closed public comment and the motion passed 5-0.

****END OF PLANNING APPLICATIONS**

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

16. Board Appointments and Resignations

16.a. For Possible Action: Accept resignation from Matt Bowman from the Lyon County Fair Board.

Comm. Gray stated he spoke with Matt Bowman and he asked to stay on the Lyon County Fair Board.

Comm. Gray moved to reject the resignation from Matt Bowman from the Lyon County Fair Board.

Comm. Jacobson seconded.

Comm. Keller asked for public participation and there was none.

The motion passed 5-0.

16.b. For Possible Action: Accept resignation from Betty Retzer to the Animal Control Board.

Comm. Gray moved to accept the resignation from Betty Retzer to the Animal Control Board.

Comm. Henderson seconded.

Comm. Keller asked for public participation and there was none.

The motion passed 5-0.

**16.c. For Possible Action: Appoint up to three (3) members to the Central Lyon County Parks Advisory Board, with terms expiring December 31, 2022.
- Richard Mitrotz, Application**

Comm. Keller moved to appoint Richard Mitrotz to the Central Lyon County Parks Advisory Board, with a term expiring December 31, 2022.

Comm. Jacobson seconded.

Advisory Board Liaison Erin Lopez asked the Board as to which seat he will represent? The Stagecoach, Moundhouse and Dayton seats are available.

Central Lyon County Parks Chairman Scott Keller recommended to seat him as the Mound House representative, since that seat has been vacant for over a year.

The Board discussed the Central Lyon County Parks Board's positions. The seats listed as a Member at Large versus a Representative from the Citizens Advisory Board and to change the seats from a five to three man board.

Comm. Keller asked for the language to be addressed within the By-Laws and updated.

County Manager Jeff Page stated the By-Laws will be reviewed and brought back for approval.

Comm. Keller revised her motion to appoint Richard Mitrotz as a member at large to the Central Lyon County Parks Advisory Board, with a term expiring December 31, 2022.

Comm. Gray seconded.

Comm. Keller asked for public participation and there was none.

The motion passed 5-0.

17. County Manager

17.a. For Possible Action: Appoint County Commissioners and staff to the following Boards, Commissions, or Committees for calendar year 2021:

Comstock Historic District, Debt Management Commission, Dayton Valley Conservation District, Mason Valley Conservation District, Smith Valley Conservation District, Nevada, Public Agency Insurance Pool. Public Agency Compensation Trust, Nevada Association of Counties: 1. Board of Directors, 2. Legislative Committee - 3. Public Lands and Natural Resources Committee, 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, Carson Area Metropolitan Planning Organization

County Manager Jeff Page reviewed the process for the Commissioners to be appointed to the boards as listed.

Comm. Keller asked the members if they had any changes requested.

The Board deliberated the appointments to the Boards. The appointments made were Comm. Gray to the Comstock Historic District, Comm. Jacobson to the Debt Management Commission, Comm. Gray to the Dayton Valley Conservation District, Comm. Hockaday to the Mason Valley Conservation District, Comm. Hockaday to the Smith Valley Conservation District, Comptroller Josh Foli to the Nevada Public Agency Insurance Pool, and Comptroller Josh Foli to the Public Agency Compensation Trust.

For the Nevada Association of Counties: Comm. Keller to the Board of Directors, Comm. Keller and Comm. Henderson as the second to the Legislative Committee, Comm. Gray and Comm. Henderson as the second to the Public Lands and Natural Resources Committee.

Comm. Hockaday was appointed to the Local Emergency Planning Committee, Comm. Keller and County Manager Jeff Page to the Northern Nevada Development Authority, Comm. Keller (& Comm. Jacobson if allowed as second) to the Nevada WORKS, Comm. Hockaday to the Walker River Irrigation District, Comm. Gray to the Carson Water Subconservancy District, Comm. Gray to the Lyon County Room Tax Board, Comm. Hockaday to the Quarterly Jail Inspection, Comm. Jacobson to the Truckee Canal Safety Commission, Comm. Henderson and Comm. Keller as the alternate to the Lyon County Regional Transportation Commission, Comm. Gray and Comm. Keller as the alternate to the Quad County Legislative Coalition, and Comm. Henderson to the Carson Area Metropolitan Planning Organization

Comm. Henderson moved to approve the appointments as read by Chairman Keller. Comm. Gray seconded and the motion passed 5-0.

17.b. For Possible Action: To give direction to the County Manager regarding potential changes to Title 15 and other matters related thereto. (Requested by Comm. Keller)

Comm. Keller requested this to be a standing item to discuss issues and for review of Title 15. She asked if there is direction or concern the Board members have.

Comm. Gray asked for the current markup to be printed.

Comm. Henderson asked for major variances to come to the Board of County Commissioners as the final decision and not the Planning Commission. Also, in Title 3, to appoint a member of the BOCC as an Ex-Officio Member to the Planning Commission.

Comm. Gray agreed with the request for the major variance to be reviewed. He asked for the County Manager to review the fees for it also.

Comm. Keller asked if another layer can be added Title 15, such as Suburban Character, to define the areas of those lots. She wants more definition to be added as a new designation.

Comm. Henderson, Gray, and Hockaday agreed with Comm. Keller.

County Manager Jeff Page reiterated the directions as to amend 15.203.05b major variances that the Board of County Commissioners has the final determination. He stated he can't make Title 3 into a motion because that is not the agenda item today, but can bring that back to as an agenda item to address the fees for major variances and to add a layer to Title 15 defining the areas for smaller lot sizes other than suburban character.

Comm. Henderson believes the Planning Commission could be brought into the motion because they are deliberating the topic of Planning.

Jeff Page discouraged doing so and recommended bringing the item back.

Comm. Keller agreed with Jeff Page.

Comm. Gray moved to approve the directive from the Board as listed by Jeff Page.

Comm. Henderson seconded.

Comm. Keller asked for public participation.

Public Comment

Nevada Builders Alliance representative Aaron West stated the community has been advocating for these updates. He cautions the Board to further give changes or additions without a committee to review and give recommendations. He recommended to make a list and then to review.

Comm. Keller closed public comment and the motion passed 5-0.

RECESS TO RECONVENE AS WILLOWCREEK GENERAL IMPROVEMENT DISTRICT BOARD

18. Public Participation

There was no public participation.

19. For Possible Action: Review and Accept Claims and Financial Report

19.a. For Possible Action: Review and accept claims and financial reports.

The cash balance as of December 15, 2020 was \$553,645.45. County claims totaled \$0 and payroll totaled \$0.

Comm. Gray moved to approve the claims and financial report as presented. Comm. Hockaday seconded and the motion passed 5 – 0.

20. Public Participation

There was no public participation.

ADJOURN TO RECONVENE AS MASON VALLEY MOSQUITO ABATEMENT DISTRICT BOARD

21. Public Participation

There was no public participation.

22. For Possible Action: Review and Accept Claims and Financial Report

22.a. For Possible Action: Review and accept claims and financial reports.

The cash balance as of December 15, 2020 was \$538,219.83. County claims totaled \$0 and payroll totaled \$4,091.54.

Comm. Gray moved to approve the claims and financial report as presented. Comm. Hockaday seconded and the motion passed 5 – 0.

23. Public Participation

There was no public participation.

ADJOURN TO RECONVENE AS WALKER RIVER WEED CONTROL DISTRICT BOARD

24. Public Participation

There was no public participation.

25. For Possible Action: Review and Accept Claims and Financial Report

25.a. For Possible Action: Review and accept claims and financial reports.

The cash balance as of December 15, 2020 was \$167,258.02. County claims totaled \$24.20 and payroll totaled \$0.

Comm. Gay moved to approve the claims and financial report as presented. Comm. Hockaday seconded and the motion passed 5 – 0.

26. Public Participation

There was no public participation.

ADJOURN TO RECONVENE AS CENTRAL LYON COUNTY VECTOR CONTROL DISTRICT BOARD

27. Public Participation

There was no public participation.

28. For Possible Action: Review and Accept Claims and Financial Report

28.a. For Possible Action: Review and accept claims and financial reports.

The cash balance as of December 15, 2020 was \$285,024.66. County claims totaled \$0 and there was no payroll.

Comm. Gray moved to approve the claims and financial report as presented. Comm. Hockaday seconded and the motion passed 5 – 0.

29. Public Participation

There was no public participation.

ADJOURN TO RECONVENE AS SILVER SPRINGS GENERAL IMPROVEMENT DISTRICT BOARD

30. Public Participation

There was no public participation.

31. For Possible Action: Review and Accept Claims and Financial Report

31.a. For Possible Action: Review and accept claims and financial reports.

The cash balance as of December 15, 2020 was \$3,232,560.03. County claims totaled \$5,343.59 and there was no payroll.

Comm. Gray moved to approve the claims and financial report as presented. Comm. Hockaday seconded and the motion passed 5 – 0.

32. Public Participation

There was no public participation.

ADJOURN TO RECONVENE AS THE LYON COUNTY BOARD OF COMMISSIONERS

33. Comm. Comments

Comm. Jacobson thanked County Manager Jeff Page.

Comm. Hockaday thanked County Manager Jeff Page.

Comm. Gray stated he is available to help the other Commissioners if they should need any help.

Comm. Keller welcomed the new Board members.

34. Closed Session pursuant to NRS 241.015(3) (b) (2) - 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.

There was no closed session.

35. Public Participation

Scott Keller, representative Silver Springs Mutual Water Company, invited the Comm. to be active in participating with managing the basin.

Comm. Keller came back to the item for Title 15 for well head protection and access management to the highways.

36. Adjourn

Comm. Keller adjourned the meeting.

LYON COUNTY BOARD OF COMMISSIONERS

VIDA KELLER, Chairman

ATTEST

NIKKI BRYAN, Lyon County Clerk/Treasurer