

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

1. Roll Call

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

2. Invocation given by Archie or Travis Walker of the Smith Valley Baptist

Travis Walker gave the invocation.

3. Pledge of Allegiance

4. Public Participation

Travis Walker thanked the Commissioners for their efforts to better the County under the current circumstances.

5. For Possible Action: Review and adoption of agenda

Jeff Page requested to remove item 6.b from the agenda.

Comm. Henderson moved to approve the agenda minus 6.b. Comm. Gray seconded and the motion passed 5-0.

6. Time Certain

6.a. Time Certain at 9:15 AM: For Possible Action: Presentation and Proclamation declaring April 2021 as Child Abuse Prevention Month in Lyon County, Nevada.

Human Services Director Shayla Holmes presented regarding child abuse prevention efforts in Lyon County. Nationally, April has been recognized as Child Abuse Prevention Month. Prevention of child abuse requires a community effort – federal, state, and local governments, as well as community service providers, teachers, businesses, health care professionals, clergy, families, friends, and neighbors – to work together to protect children and support the well-being of families.

Division Manager of Children Services Jenna Dykes gave a review of the service available which includes Differential Response, Family Support Program, Nevada Home Visiting, Cribs for Kids, Car Seat Installation and education, Women Infants and Children (WIC), Parenting Classes, and Opioid Education & Naloxone Distribution.

Division of Child and Family Services Kandee Mortenson gave a report of her services. Child Protective Services (CPS) is the first step to ensure the safety and permanency of children who are reported as being abused or neglected. The focus of CPS is on protecting the child from harm or risk of harm and to make it safe for the child to live with the parent or caretaker. Last year there was a total of 136 Investigate Reports.

District Attorney Steve Rye works with DCFS on child protection cases assisting in protecting children and removing them from abusive environments. He also works with the Lyon County Sheriff's Office and other law enforcement agencies to successfully prosecute child abuse and neglect, child sexual abuse and child exploitation cases and protect children from these offenders. From 2019 to 2020 there was a decrease in cases. He encouraged the public to report and generally the families are provided with services. He recognized law enforcement, church groups, City of Yerington, City of Fernley for their efforts.

CASA Representative Kelcy Meyer stated her organization is to help assist children with their volunteer work. They collaborate with several entities to make recommendations. All volunteers are welcome. In 2020, Lyon County CASA served 87 abused and neglected children removed from their homes in Lyon County. Their 10 CASA volunteers dedicated over 1,500 hours in 2020 advocating for the best interests of these vulnerable children.

Shayla Holmes will be providing promotional pinwheel displays to community partners for awareness, and as a reminder of their involvement in the prevention of child abuse. LCHS will also be planting pinwheel gardens in the local community to serve as a reminder to the public that April is Child Abuse Prevention Month.

Comm. Jacobson asked if after a school makes a report, if there could be a follow-up afterward. He gave a description of services the schools provide.

Steve Rye stated he understands the desire to communicate, and it is difficult when they are helping the same children. There is also a concern with confidentiality. He is agreeable to find a way at least to deliver feedback of the report was received and acted upon.

Comm. Keller read the proclamation into the record.

Comm. Jacobson moved to approve the Proclamation. Comm. Gray seconded and the motion passed 5-0.

6.b. Time Certain at 9:30 AM: For Possible Action: Presentation and discussion on the Silver Springs Airport Annual Report to the County.

The item was removed from the agenda.

7. Presentation of awards and/or recognition of accomplishments

7.a. For Presentation Only: Recognize the Court Appointed Special Advocates (CASA) volunteers for the dedication and services provided to the children of Lyon County.

(Stephen Barbetti, Kathy Carlgren, Sydney Carlgren, Thomas Cavallero, Dr. Kimberly Fitzgibbon, Stephani Halladay, Brittany Harrell, Cori Norman, Lena Ramos-Gonzales, Mary Smith)

Human Services Director Shayla Holmes recognized Stephen Barbetti, Kathy Carlgren, Sydney Carlgren, Thomas Cavallero, Dr. Kimberly Fitzgibbon, Stephani Halladay, Brittany Harrell, Cori Norman, Lena Ramos-Gonzales, Mary Smith for volunteering for the dedication and services provided to the children of Lyon County.

Kelcy Meyer thanked the volunteers for their hard work and also the Commissioners.

The Commissioners passed on their appreciation of their volunteer work protecting the children.

8. Commissioners/County Manager reports

Comm. Jacobson expressed his apologies for being absent at the budget meeting the day prior. He acknowledged the work it went into achieving a great job well done. He was attending the Boys and Girls Club meeting where the public voiced their concerns of the Night in the Country event. He thanked Travis for their transparency in the meeting. He is in support of the organization.

Comm. Hockaday thanked the South Lyon Medical Center for their efficiency during the COVID vaccines. He thanked the Central Lyon County Fire Department for the tour he went on. He was unable to attend the Boys and Girls Club meeting due to technical difficulties. He attended the CAB Zoom meeting for them to open their meetings.

Comm. Henderson attended tours at the Facilities, Roads/Fleet, Sheriff, and the Human Services departments. He attended the NACO Board of Directors and the Legislative Commission meeting. He met with Chief Harvey and toured their four stations.

Comm. Keller attended the NACO Board meeting. The budget meeting went well and she appreciated the efforts from all Department Heads in achieving a good document.

County Manager Jeff Page gave a review of the Night in the Country meeting. The proposed location is Bybee Lane. The Night in the Country is a separate entity to the Boys and Girls Club and is their primary funding. Their Board is meeting to deliberate the location change. In years prior during the recession, the County cut funding for after school programs. If there wasn't a Boys and Girls Club it could/would cost approximately 2.5 million dollars for what they provide. Jeff Page went on to inform the Board, the Local Emergency Committee will meet next week to review the Restore Lyon County Plan. To transition from State to local oversight of COVID 19 response and recovery. Following which he will bring to the Board the plan for their approval, before being submitted to the State. The objective is to open 100 percent on May first with safeguards and practices in place. Jeff Page informed the Board of an anticipated property to purchase for the Dayton Justice Court. Staff is waiting for an appraisal. The Dayton Valley Drainage study needs to be reviewed and he will bring back for the Board. He thanked Erin Lopez for her efforts in facilitating the Citizen Advisory Board's functional with Zoom meetings. He asked the CAB's to ask her questions as needed, to ensure the process is correct. He gave a history of the complexity of approving the budget and how it has improved to date. He invited the public to ask questions on the budget.

Comm. Gray requested a status update for the Waste Franchise Agreement. He asked if Waste Management did properly notify Lyon County.

Jeff Page stated he will agendize a discussion to ask what they are looking for. He confirmed they had notified the County.

Comm. Jacobson thanked Jeff Page for efforts in facilitating the Night in the Country meeting.

Comm. Hockaday addressed a concern that Jeff Page had an interview with KTVN and made an attacking statement towards the community.

Jeff Page stated from his understanding there was not anything said negative towards the residents.

9. Elected Official's reports

9.a. Dayton Justice Court - Civil, Criminal & Monthly Statistics February 2021

There were no other reports given.

10. Appointed Official's reports

Planner Rob Pyzel reported Staff was made aware by the Carson City Planning Department that Tahoe Western Asphalt (TWA) has filed an appeal to the Board of Supervisors of the Carson City Planning Commission's decision to revoke the previously approved TWA Special Use Permit. The Carson City Planning Commission revoked the Special Use Permit due to TWA's inability to adequately address the asphalt batch plant's emissions resulting in impacts to the residents of Mound House.

11. Advisory Board reports

Advisory Board Liaison Erin Lopez gave a report that the Silver Springs and Silver City Advisory Boards have posted their agendas and are ready to have their first Zoom meeting. She has a meeting with the Stagecoach Advisory Board to give them the training.

Comm. Gray requested to have the hybrid meeting available for May 1st.

Erin Lopez stated she could not comment it could be done by that date, possibly by June 1st. That would be dependent on certain factors.

Jeff Page stated it would need to be reviewed such as the location, technology access, and the safety measures are met.

Comm. Keller suggested to learn one process before moving forward with the next.

CONSENT AGENDA

Comm. Gray moved to approve the consent agenda items #12.a – 15.d.

Comm. Hockaday requested to hear 14.c separately.

Comm. Gray amended his motion.

Comm. Henderson seconded.

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

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 Corrections totaled \$2,172.98.

13. For Possible Action: Approve County Commission Minutes

13.a. For Possible Action: Approve the March 4, and March 18, 2001 minutes.

The March 4, 2021, and the March 18, 2021 minutes were approved.

14. Contracts

14.a. For Possible Action: Give the Sheriff permission to sign the written agreement with Permittium LLC to provide an electronic online system to process CCW applications. The operation cost is \$4.00 per application with no upfront expenditures. LCSO would also ask

that there be a fee schedule change in regards to CCW applications. Raising the cost for Initial applications to \$100.25, renewal fees increased to \$65.25, and duplicate fees increased to \$19.00. This change would allow the \$4.00 processing fee to come directly out of the fees charged and not out of the Sheriff's Office Budget. Contract term is April 1, 2021 to March 31, 2022.

- User License Agreement for online CCW Permit Applications
- Permit Director Briefing CCW

14.b. For Possible Action: Approve one-year renewal of contract with Benefit Intelligence Services, Inc. to continue serving as Lyon County's employee benefits broker.
-Broker Agreement

14.c. For Possible Action: Approve Task Order 111 with Farr West Engineering in an amount not to exceed \$7,000 for engineering and permitting services associated with adding a fire hydrant on cemetery road. Funding will come from the Dayton Water Fund (David Bruketta).

Utilities Director David Bruketta reviewed for the Board, this is the requirement to submit sub engineering material to NDEP.

Comm. Hockaday asked why pay the \$7,000 in engineering to place a fire hydrant. He has done it himself and it did not cost this much.

David Bruketta stated it's a requirement through NDEP to allow them to connect into their water system. A report must be provided to NDEP.

Comm. Keller stated this is for the engineering and permitting and not the installation.

David Bruketta confirmed Comm. Keller is correct and his staff will do the installation.

Comm. Jacobson asked if the total cost is still projected at \$10,000.

David Bruketta stated this is inclusive, and is still within that range.

Comm. Gray moved to approve 14.c as presented.

Comm. Henderson seconded.

Comm. Keller opened the meeting for public comment and there was none.

The motion passed 5-0.

15. Other Consent Items

15.a. For Possible Action: Approve purchase of two Street Scout Radar Trailers in the amount of \$12,740.00 out of a contingency budget transfer, to be used by the Lyon County Sheriff's Office

15.b. For Possible Action: Review and accept claims and financial reports.

The cash balance as of March 15, 2021 was \$68,319,664.70. County claims totaled \$862,049.26 and payroll totaled \$1,329,386.38.

15.c. For Possible Action: Review and accept travel claims.

Travel claims totaled as of March 15, 2021 was \$2,737.64.

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

PLANNING CONSENT ITEMS - (ACTION WILL BE TAKEN ON ALL ITEMS)

16. Planning Consent Items

16.a. For Possible Action: Lyon County – Offer of Road Dedication – Request to offer for dedication from Lyon County to the City of Yerington for a thirty-five foot wide right-of-way containing approximately 11, 3523 square feet located within a portion of Parcel 2 as described per Quitclaim Deed (Doc. No. 125892) recorded on July 18, 1989, Yerington, NV (APN 001-171-10).

Comm. Henderson moved to approve the Lyon County – Offer of Road Dedication – Request to offer for dedication from Lyon County to the City of Yerington for a thirty-five foot wide right-of-way containing approximately 11, 3523 square feet located within a portion of Parcel 2 as described per Quitclaim Deed (Doc. No. 125892) recorded on July 18, 1989, Yerington, NV (APN 001-171-10).

Comm. Gray seconded.

Comm. Keller opened the meeting for public comment and there was none.

The motion passed 5-0.

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

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

17. Planning

17.a. For Possible Action - Thunder – Carry LLC – Master Plan Amendment - Request to allow a change the land use designation from Employment to Commercial for a 0.92 acre parcel located at 10115 US 50, Mound House, NV (APN: 016-242=16) (PLZ-2020-027).

Planner Rob Pyzel gave a report the applicant has submitted a Master Plan Amendment application in order to change the current master plan land use designation from Employment to Commercial. The applicant has submitted a concurrent zoning map amendment to change the zoning district from M-1 (General Industrial) to CC (Community Commercial) (PLZ-2020-028). The Planning Commission voted to forward a recommendation of approval (6-0; Commissioner Blackwood absent). The parcel located at 10115 US 50 and Kit Kat Drive, in Mound House. It is staff's understanding that the applicant will at a later date submit a Conditional Use Permit to request the eventual conversion of the existing bar/tavern to a marijuana dispensary. Staff recommended approval of the master plan amendment to change the land use designation from Employment to the land use designation of Commercial

Comm. Henderson moved to approve Thunder – Carry LLC – Master Plan Amendment - Request to allow to change the land use designation from Employment to Commercial for a 0.92 acre parcel located at 10115 US 50, Mound House, NV (APN: 016-242=16) (PLZ-2020-027), based on the recommended findings:

- A. Consistency with The Master Plan: The applicant has demonstrated that the amendment is in substantial compliance with and promotes the master plan goals, objectives and actions.
- B. Compatible Land Uses: The proposed amendment is compatible with the existing or master planned adjacent land uses, and reflects a logical change in land uses.
- C. Response to Change Conditions: The proposed amendment has demonstrated and responds to changed conditions or further studies that have occurred since the master plan was adopted by the Board, and the requested amendment represents a more desirable utilization of land.
- D. No Adverse Effects: The proposed amendment will not adversely affect the implementation of the master plan goals, objectives and actions, and will not adversely impact the public health, safety or welfare.
- E. Desired Pattern of Growth: The proposed amendment will promote the desired pattern for the orderly physical growth of the County, allows infrastructure to be extended in efficient increments and patterns, maintains relatively compact development patterns, and guides development of the County based on the consideration of natural resources, the physical geography and the efficient expenditure of funds for public services.

Comm. Hockaday seconded.

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

The motion passed 5-0.

17.b. For Possible Action – Thunder – Carry LLC – Zoning Map Amendment - Request to allow a change of current zoning district from M-1 (General Commercial) to CC (Community Commercial) on a 0.92 acre parcel located at 10115 US 50, Mound House, NV (APN: 016-242-16) (PLZ-2020-028).

Planner Rob Pyzel gave a report the Planning Commission voted to forward a recommendation of approval (6-0; Commissioner Blackwood absent), based on the Findings as listed in the staff report. He recommended approval to bring in conformance with the zoning.

Comm. Gray moved to approve Thunder – Carry LLC – Zoning Map Amendment - Request to allow a change of current zoning district from M-1 (General Commercial) to CC (Community Commercial) on a

0.92 acre parcel located at 10115 US 50, Mound House, NV (APN: 016-242-16) (PLZ-2020-028), based on the recommended findings:

- A. The proposed Zoning Map Amendment is consistent with the policies embodied in the adopted master plan and the underlying land use designation contained in the land use plan;
- B. The proposed Zoning Map Amendment is consistent with the adequate public facilities policies contained in this title;
- C. The proposed Zoning Map Amendment is compatible with the actual or master planned adjacent uses.

Comm. Henderson seconded.

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

The motioned passed 5-0.

17.c. For Possible Action – Cottages at Traditions – Zoning Map Amendment – Request to allow a change of the current zoning district of MFR (Multifamily Residential) to NR (Neighborhood Residential – 4,500 sq. ft. minimum) on a 8.26 acre parcel generally located at the northwest corner of the Nevada Station Parkway/Prairie Gate Road intersection in the Traditions development, Dayton, NV (APN: 016-406-10) (PLZ-2021-038).

Planner Rob Pyzel gave a report on the application submitted, a Zoning Map Amendment application to change the current zoning on the subject parcel, totaling approximately 17.71 acres in size. The Planning Commission voted (6-0, Blackwood absent) to forward a recommendation of approval based on the Findings. He gave a history of the development. Based on the existing zoning and proposed developments surrounding the subject site, staff is of the opinion that the proposed zoning map amendment would be compatible with the existing and planned surrounding land uses. A Zoning Map Amendment request cannot be conditioned.

Comm. Keller asked a question, in 2019 it was approved for a 6,000 – 9,000 sq. ft. minimum. In this application they want the 4,500 sq. ft.

Rob Pyzel answered Comm. Keller is correct. He went on to point out this application would convert approximately 148 multifamily residential units to 43 single family residential.

Comm. Henderson asked with the change in converting what he mentioned, does that include the property that will remain MFR, and how many units are on that parcel.

Rob Pyzel confirmed he is correct, and reviewed the contents to answer the amount of units.

Manhard representative Karen Downs offered to answer the amount of units. The total amount allowed for 17.71 units per acre, is 287. That top portion would remain at current status. They are proposing 138 on the northern portion and 43 single family residential on the southern portion.

Comm. Keller asked if the Board had questions for the applicant and there were none.

Karen Downs offered to give a presentation and clarification as needed.

The Board didn't request to hear the presentation. Comm. Keller stated they are well informed with the contents in the staff report.

Comm. Keller made a motion to deny.

Comm. Gray seconded.

District Attorney Steve Rye asked her to be specific with a reason.

Comm. Keller stated her reason for denial is the surrounding single family homes are on a 6,000 – 9,000 sq. ft. lots and are reducing them to 4,500 sq. ft. lots, and should remain more consistent. The density or traffic is not the issue, it is the change of multifamily zoning. The single family lots are not consistent.

Steve Rye recommended Comm. Keller refer to the finding in the staff report.

Comm. Gray requested the safety issue on Hwy 50 be included.

Comm. Keller clarified her motion to include findings a, b and c.

- A. The Zoning Map Amendment is not in substantial compliance with the Master Plan goals, objectives and actions.
- B. The proposed use will be detrimental to the public health, safety, convenience and welfare; and
- C. The proposed use will result in material damage or prejudice to other property in the vicinity.

Comm. Gray seconded.

Comm. Jacobson asked if the recent prior approval was not for 4,500 sq. ft. minimum.

Karen Downs asked if she could present the existing and proposed zoning slides. It is surrounded by neighborhood residential currently. She asked Rob Pyzel to answer the question and she could present the slides.

Rob Pyzel confirmed Comm. Jacobson's question, the existing surrounding zoning is NR1 and converts over to NR. The applicant has received and submitted approval of the tentative subdivision map. Which has exceeded the lot size under that zoning. The existing zoning on the property is multifamily and proposing to convert it to single family.

Comm. Keller stated multifamily and single family are different products. She doesn't agree with the zone change of single family homes at 4,500 sq. ft. lots.

Comm. Gray asked her to clarify her motion, was it findings a, b, c, and d.

Comm. Keller stated it was finding a through c, there is no d.

Steve Rye asked Comm. Keller to include her additional findings she made.

Comm. Keller included the inconsistency with single family adjoining lots.

County Manager Jeff Page recommended the Board hear the applicant be heard per their request.

Comm. Keller agreed and pulled her motion, allowing them to present before a motion is made

Comm. Gray agreed.

Manhard representative Chris Baker relayed his concern to board, the motion was not reflecting what is in the application. He reviewed the zoning areas in a presentation. The surrounding properties in the west and south are NR. The property in discussion is multifamily residential. The request is for a zoning map amendment, to modify the zoning from multifamily residential to neighborhood residential. This gives the area consistency. He asked if they wanted to hear more on the tentative map.

Jeff Page requested for the next item to be read into the record, for the items to be heard together and voted on separately.

Comm. Keller read item 17.d into the record.

Karen Downs presented the tentative map, the applicant requested a Tentative Subdivision Map to create forty-three (43) detached single family residential lots on approximately 8.26 acres, a residential density of five and two-tenths dwelling units per acre (5.2 du/acre).

Chris Baker stated the density is 5.2 units per acre. Even though the lots sizes are smaller, there is less density within the design with the surrounding larger lots. This is favorable for the desired need in the area.

Comm. Keller asked for the surrounding areas that are zoned for NR, what are the size of the lots for single family homes.

Karen Downs stated it was a minimum of 6,000.

Chris Baker stated further up the hill was 9,000.

Comm. Keller asked if one item can be approved and the other could be denied.

Rob Pyzel stated it could be done.

Comm. Henderson asked what lot sizes are the properties to the south and the west.

Chris Baker answered the previous Tentative Map was for 6,000. The request is to provide a planning perspective and reduce density and impacts.

Comm. Henderson expressed his concern with the transition of lots to the west from 6,000 lots to an apartment.

Chris Baker agreed and stated it does compliment half of the site. They can come back and modify the northern boundary also.

Comm. Keller is concerned with the inconsistency of the size of lots for single family homes, and the transition to commercial mixed use over to the CC's.

Comm. Keller asked for public participation.

Public Participation:

Scott Keller stated the development is not transparent with their future goals. He feels it is manipulating the process to ask for one application, then in the future, it could be a requested to change the next development.

Comm. Keller closed public participation.

Comm. Keller stated for item #17.c a Zoning Map Amendment, she moved to deny on the inconsistencies between the size of the single family lots, it's eliminating a buffer between the NR and the Commercial Mixed Use, and to include the three findings:

- A. The Zoning Map Amendment is not in substantial compliance with the Master Plan goals, objectives and actions.
- B. The proposed use will be detrimental to the public health, safety, convenience and welfare; and
- C. The proposed use will result in material damage or prejudice to other property in the vicinity.

Comm. Gray seconded.

Comm. Jacobson asked for clarification, if they will remain at 6,000 sq. ft. lots.

Comm. Keller replied they would remain Multi Family and are zoned for apartments.

Rob Pyzel answered they are 8,000 sq. ft. lots for multiple dwelling units on one parcel.

Chris Baker stated minimum lot sizes is 8,000 sq. ft., single family homes are not allowed in Title 15. He clarified this is choosing Multi Family Apartments over Single Family residential units.

Rob Pyzel confirmed they could request an application for apartments, condominiums or town homes.

Comm. Henderson stated he is not in favor of her motion. He is in support of removing the MFR to reduce the amount of apartments.

Comm. Jacobson as it is now, they can build apartments but not single family homes if they vote to deny.

Rob Pyzel answered, yes, he is correct.

Comm. Gray is not in favor of apartments, and he pulled his second.

Comm. Keller pulled her motion.

Comm. Gray moved to approve item #17.c as presented.

Comm. Henderson seconded.

Comm. Keller asked if he is including the findings.

Comm. Gray confirmed to include the findings in the staff report.

- A. The proposed Zoning Map Amendment is consistent with the policies embodied in the adopted master plan and the underlying land use designation contained in the land use plan;
- B. The proposed Zoning Map Amendment is consistent with the adequate public facilities policies contained in this title;
- C. The proposed Zoning Map Amendment is compatible with the actual or master planned adjacent uses.

Comm. Jacobson is in favor of single family homes over apartments.

The motioned passed 4-1, Comm. Keller opposed.

17.d. For Possible Action – Cottages at Traditions – Tentative Subdivision Map – Request to allow forty-three (43) detached single family residential lots (4,500 square feet minimum) on a 8.26 acre parcel generally located at the northwest corner of the Nevada Station Parkway/Prairie Gate Road intersection in the Traditions development, Dayton, NV (APN: 016-406-10) (PLZ-2021-039).

Chris Baker gave a history for the proposed changes in the lot size. The County had previously changed the minimum lot size to 4,500 square feet. They reduced the density with trails and parks amenities. The parks will be maintained by an association. They are in compliance with the zoning designation in Title 15.

Comm. Keller commented the application will go through the Planning Process for approval. It may be stated in Title 15, it is not a guarantee of approval.

Comm. Jacobson asked for clarification on the parks, and who will do upkeep on them.

Rob Pyzel replied it is a condition of an approval to provide the responsibility of maintenance with a Home Owners Association, or a Landscape Maintenance Association.

Comm. Gray moved to deny based on,

C. There is inadequate access and availability to public services such as schools, police protection, transportation, recreation and parks;

D. The project is not in general conformity with the Lyon County Comprehensive Master Plan;

E. The project will have adverse impacts and does not provide adequate mitigation of adverse impacts, to existing public streets

Comm. Keller seconded.

The motioned passed 4-1, opposed by Comm. Jacobson.

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

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

18. Board Appointments and Resignations

18.a. For Possible Action: Appoint a member to the Smith Valley Advisory Board, with a term expiring December 31, 2022.

- Nettie Lawson, Application

Comm. Gray motioned to appoint Nettie Lawson to the Smith Valley Advisory Board, with a term expiring December 31, 2022.

Comm. Jacobson seconded.

Comm. Keller opened the meeting for public comment and there was none.

The motion passed 5-0

18.b. For Possible Action: Appoint up to two (2) members to the Room Tax Board, with terms expiring December 31, 2022.

- Charles Lawson, Application

Comm. Gray motioned to appoint Charles Lawson to the Room Tax Board, with a term expiring December 31, 2022.

Comm. Jacobson seconded.

Comm. Jacobson asked if there was an error with the item. His application is marked for Debt Management Commission.

Erin Lopez confirmed it was a clerical error and should be listed as the Debt Management Commission and not the Room Tax Board.

Comm. Gray pulled his original motion. He motioned to continue the item to the next meeting.

Comm. Jacobson seconded.

The motion passed 5-0.

**18.c. For Possible Action: Accept resignation from Tedra Gavin from the Dayton Valley Event Center Board.
- Tedra Gavin, Resignation Letter**

Comm. Henderson motioned to accept resignation from Tedra Gavin from the Dayton Valley Event Center Board.

Comm. Jacobson seconded.

Comm. Keller opened the meeting for public comment and there was none.

The motion passed 5-0.

**18.d. For Possible Action: Accept resignation from Aaron Mouritsen from the Library Board of Trustees.
- Aaron Mouritsen, Resignation Letter**

Comm. Gray motioned to accept the resignation from Aaron Mouritsen from the Library Board of Trustees.

Comm. Henderson seconded.

Comm. Keller opened the meeting for public comment and there was none.

The motion passed 5-0.

**18.e. For Possible Action: Accept resignation from Shane Blackwood from the Lyon County Planning Commission.
- Shane Blackwood, Resignation Letter**

Comm. Henderson motioned to accept resignation from Shane Blackwood from the Lyon County Planning Commission.

Comm. Gray seconded.

Comm. Keller opened the meeting for public comment and there was none.

The motion passed 5-0

19. County Manager

19.a. 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)

Jeff Page gave an update on the request to clarify the suburban character districts. Staff will be contacting the Chair and the Vice Chair to review the updates. Then it will be brought back later in April or May for the Board.

19.b. For Possible Action: Discussion and direction to staff and Legislative Coalition Members regarding legislation or legislative issues proposed by legislators or by other entities permitted by the Nevada State Legislature to submit bill draft requests, or such legislative issues that may impact Lyon County as may be deemed appropriate by the Board of County Commissioners.

Comm. Keller requested for a letter be sent in opposition to AB321.

Jeff Page confirmed he will send it in.

Comm. Keller moved to direct staff to draft a letter strongly opposing AB321, against the mail in ballots, and to attach the Resolution, in regards to it, from last year.

Comm. Gray Seconded.

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

Comm. Henderson asked for AB246, removing Teflon from treated water, could be reviewed by the Utilities Department. His concern is it will have an impact on facilities.

Comm. Gray stated he believed it to be AB97, with toxic chemicals in the water.

Jeff Page he will draft a letter for Comm. Henderson and Comm. Gray to review prior to sending the letter.

Comm. Henderson moved to direct staff to draft a letter in opposition.

Comm. Keller seconded.

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

The motion passed 5-0

Comm. Gray AB322 moved to send a letter in strong opposition for portable marijuana vendors at venues, and to be in support AB278, to remove excise taxes from the manufacturers.

Comm. Keller stated they have two separate licenses, so they would be getting a double benefit also.

Comm. Gray agreed to remove AB278.

Comm. Gray moved to send a letter in strong apposition for AB322.

Comm. Jacobson seconded.

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

The motion passed 5-0.

Comm. Gray asked if the Board was in opposition to AB191 the electrical bill surcharge.

Jeff Page stated it was not appearing to go further, but there is another Bill supported by NACO to move forward. He asked if the Board is in support of the Bills providing support to the Counties.

The Commissioner's unanimously gave their support.

Comptroller Josh Foli reported AB372 is a Bill regarding refunding doctors and benefits in Nevada that will have a fiscal impact on the Counties.

The Commissioner's agreed to review the Bill.

19.c. For Possible Action: Appoint a temporary chairman to the Dayton Valley Fairgrounds Events Center Advisory Board.

Jeff Page reported there are currently two members on a five member board, there is not a quorum to meet. There does need to have a point of contact for staff to meet.

Comm. Keller asked if Stoney Tennant was the previous Chairman. She wants to discuss this with Stoney Tennant and also to change the board to a three person board.

Comm. Gray moved this item to the next meeting.

Comm. Henderson seconded.

The motion passed 5-0

19.d. For Possible Action: Approve, deny or amend Resolution 21-07A Resolution of the Lyon County Board of Commissioners calling on our legislative leaders to open the Legislative building and legislative process to the public using the same Governor's directives for social distancing in Nevada's businesses, schools, and churches to keep people safe; and

The legislature must preserve the rights and freedoms of the people through checks and balances between branches of government by allowing the public access to the building and process. (Requested by Commissioner Keller)

Comm. Gray motioned to approve a Resolution 21-07A Resolution of the Lyon County Board of Commissioners calling on our legislative leaders to open the Legislative building and legislative process to the public using the same Governor's directives for social distancing in Nevada's businesses, schools, and churches to keep people safe. The legislature must preserve the rights and freedoms of the people through checks and balances between branches of government by allowing the public access to the building and process.

Comm. Jacobson seconded.

Comm. Keller opened the meeting for public comment and there was none.

The motion passed 5-0.

19.e. For Possible Action: Propose Ordinance amending Lyon County Code Title 1, Chapter 5, revising the provisions to allow that meetings be held outside the county seat in certain situations.

Jeff Page stated this is language drafted after Comm. Henderson requested the changes.

Comm. Henderson proposed an Ordinance amending Lyon County Code Title 1, Chapter 5, revising the provisions to allow that meetings be held outside the county seat in certain situations.

Comm. Henderson thanked the District Attorney Steve Rye.

19.f. For Possible Action: Discussion and possible direction to staff regarding a potential relocation of the Dayton Rodeo Center (requested by Commissioner Gray).

Comm. Gray moved to pull the item and bring it back as needed.

Comm. Henderson seconded.

Comm. Keller opened the meeting for public comment and there was none.

The motion passed 5-0

20. Human Resources

20.a. For Possible Action: Approve plans for employee health, dental, vision, and life insurance coverage effective July 1, 2021, and authorize the Human Resources Director to sign associated contracts.

Human Resources Director Eric Milavsky reviewed the policies. For the 2021-2022 fiscal year, he recommending renewal of the health insurance contract with Cigna, renewal of the dental and life insurance contracts with Guardian, and renewal of the vision contract with VSP. Medical costs have increased at 9.80% for renewal and was the best option to stay with Cigna. The increase would be built into next year's budget. The dental, vision, and life plans have a 0% in increased costs.

Comm. Keller is in support to stay with Cigna as the healthcare provider. They are covering services for the employees.

Comm. Henderson motioned to approve plans for employee health, dental, vision, and life insurance coverage effective July 1, 2021, and authorize the Human Resources Director to sign associated contracts.

Comm. Gray seconded.

Comm. Keller opened the meeting for public comment and there was none.

The motion passed 5-0.

21. Utilities

21.a. For Possible Action: Consider options to reduce Lyon County Utilities payment processing concerns and late fee issues which have increased recently (Requested by Commissioner Gray).

Comm. Gray stated there was an issue previously regarding late fees that were not in the control of the rate payers from the services being provided by their banks. He is not in favor of charging late fees to them when the banks in the past have not had an issue.

Comptroller Josh Foli commented there are other ways for them to pay. With how the code is written, there is not a way to waive fees by board action, it would require a change in the code.

Comm. Gray asked if the Utilities office has authority waive fees.

Josh Foli stated the Utilities Office has the ability to waive a single one if they have not had a late payment in the last three years.

Comm. Henderson asked if there is easier payment option and can encourage them to use it.

Josh Foli stated with the software there is not an option for e-box payments (electronic check). This is approximately a few thousand dollars to purchase.

Comm. Henderson gave an overview of the email received from the Dayton Utilities Director David Bruketta.

Josh Foli stated there are fees incurred with all payments options.

Comm. Henderson asked if the software implementations would cost approximately \$100,000.

Josh Foli stated there is also a large undertaking and time consuming. He would not recommend implanting a new software at this time.

Comm. Jacobson stated his sympathies for those affected. He is concerned approving this, it could open future requests with additional circumstances.

Comm. Gray moved to encourage the Utilities Director to waive the fees under the three year policy and prove the check was drafted by the bank.

Comm. Keller stated she called several banks in the Dayton area and those affected can be refunded by those banks.

Josh Foli stated he doesn't believe Comm. Gray has the authority to make the motion.

David Bruketta stated the ordinance gives him authority to review the late fees. Current practice is within three years to wave a late fees and is not written in the code. The delinquent accounts are down to average numbers. There is a delay in the system from third parties. They recommended for them to work with the bank, pay earlier, or use other alternatives. ACH does not pull directly from the bank. There is an e-box option, electronic receivable. The funds are linked to the account. He is concerned they could waive the fees and then they could also request the funds to be reimbursed from their bank also.

Comm. Gray stated there is no motion. He does understand the rate payers could be double reimbursed and is not in support of that. He requested for a future discussion on late fees and the increasing percentage.

22. Other

22.a. For Possible Action: Approve tentative budget for fiscal year 2021-2022.

Comm. Keller noted this is a continuance from the tentative budget meeting yesterday.

Josh Foli stated this was not needed since they finished yesterday.

ADJOURN TO RECONVENE AS MASON VALLEY MOSQUITO ABATEMENT DISTRICT BOARD

23. Public Participation

There were none given.

24. Report

24.a. For Possible Action: Review and accept Manager's report and the January 2, 2021 Mason Valley Mosquito District minutes. - January Minutes and Report

Comm. Henderson motioned to approve the review and accept the Manager's report and the January 2, 2021 Mason Valley Mosquito District minutes.

Comm. Jacobson seconded.

Comm. Keller opened the meeting for public comment and there was none.

The motion passed 5-0.

25. Public Participation

There were none given.

**ADJOURN TO RECONVENE AS THE LYON COUNTY BOARD OF
COMMISSIONERS**

26. Agenda Requests

Comm. Henderson asked to review the billing system and late fees procedures and the ordinances associated with the Utility's Department.

Comm. Jacobson requested to review safety and security procedures for the brothels.

27. Commissioner Comments

Comm. Keller thanked the public for joining the meeting today.

28. 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 a closed session.

29. Public Participation

There were none given.

30. Adjourn

Comm. Keller adjourned the meeting.

LYON COUNTY BOARD OF COMMISSIONERS

VIDA KELLER, Chairman

ATTEST

NIKKI BRYAN, Lyon County Clerk/Treasurer