

The Honorable Board of Lyon County Commissioners met this day in regular session with the following present: Chairman Don Tibbals, Vice-chair Larry McPherson, Commissioners Phyllis Hunewill, Bob Milz and LeRoy Goodman. Also present: County Manager Dennis Stark, District Attorney Bob Auer, Clerk/Treasurer Nikki Bryan and Deputy Clerk Joanne Sarkisian.

1. Review and adoption of agenda

County Manager Dennis Stark requested that item #47 be heard at the conclusion of the consent agenda.

Comm. Milz requested that item #10 be heard separately.

Comm. Hunewill made a motion to approve the agenda as amended. Comm. McPherson seconded and the motion passed unanimously 5-0.

2. Appointed Official's report

There were no appointed official's reports.

3. Elected Official's comments

There were no elected official's reports.

4. Advisory Board reports

There were no advisory board reports.

5. County Manager report

County Manager Dennis Stark informed the Board that there will be a video conference on May 29, 2008 at the cooperative extension office in Yerington. The subject of the conference will be rapid growth facing rural counties.

Mr. Stark mentioned a reception hosted by NNDA that will be held Monday May 5, 2008 where cooperative economic development issues will be discussed. He then mentioned that the safety committee rules and regulations will be to the Board in the near future for review and approval.

Mr. Stark went on to mention recent discussions with Mary Walker regarding issues that may be addressed in the next legislative session. He also asked for comments on the jail request for qualifications.

Mr. Stark then mentioned the proposals that will be coming forward from Sierra Pacific. Comm. Hunewill requested that the Board be provided a detailed map of the proposals.

6. Commissioner comments

Comm. Goodman had questions for Comptroller Josh Foli. He asked if the reduction in gasoline usage and the possible moratorium on gas tax would constitute a need to review the upcoming budget. Mr. Foli responded that he is keeping a close watch and will inform the board of any changes.

Comm. Milz had no comments.

Comm. McPherson had no comments.

Comm. Hunewill spoke of the work being done at Dressler Park.

Comm. Tibbals mentioned the recent water reallocations and the economic issues the County may face.

7. Public participation

There was no public comment.

****CONSENT AGENDA****

8. **Approval of changes on Assessor's tax role due to corrections in assessments and review of tax roll changes**

9. **Review and possible approval of business license applications:**
 - a. Rose, Ralph A & Sharal M.; *A Rooter-Man Plumbing, Sewer & Drain Cleaning Service, Inc.*; 1360 Greg Street #110, Sparks, NV; Plumbing & Sewer Drain Services
 - b. White, Victor A. & Linda; Alexander Jones, LLC dba/ *Alexander Heating & Air Conditioning*; 1007 Greg Street, Sparks, NV; HVAC, Plumbing & Sheet Metal
 - c. Allison, Wayne D. & Gail M.; Allison Automotive Group, Inc. dba/ *Allison SAAB Allison Mitsubishi*; 9190 S. Virginia Street, Reno, NV; One Time Sales Event at the Lyon County Fair Grounds May 5 through May 11, 2008
 - d. Simpson, Barry G.; *BGS Builders/Roofing, LLC*; 1250 Ron Lane, Gardnerville, NV; Roofing & General Contractor
 - e. Coli, Joseph M.; Damonte, Stephen C.; Coli-Damonte Professional Corporation dba/ *Comstock Large Animal Hospital*; 90 w. Laramie Drive, Reno, NV; Mobile Veterinary Services
 - f. Brown, Kenneth M. & Sarah L. ;Insight Mfg. Systems, Inc. dba/ *Critical Tadoo*;86 Linehan Road, Mound House, NV; Mfg. & Sale of Tadoo Equipment
 - g. Newell, Dave S.; *DN Roofing, Inc.*; 4628 Hillview Drive, Carson City, NV; Roofing Contractor
 - h. Weibel, Earl J.; *Earl's Handyman*; 3890 Cypress Street, Silver Springs, NV; Handyman Services
 - i. Hannan, Judith R.; *Entrepreneurs Unlimited, Inc.*; 8900 Tahoe Avenue, Stagecoach, NV; Internet Advertising of Educational Materials
 - j. Flowers, Paula & Mark & Shelton, Zorado; Engine Parts Warehouse, Inc. dba/ *Erson Cams*; 16 Kit Kat Drive, Mound House, NV; Wholesale Distribution of Engine Components & Camshaft Grinding
 - k. Fast, Jeffrey; FISH Emergency Referral Services Program, Inc. dba/ *Friends In Service Helping (F.I.S.H.)*; 7010 Hwy 50 East, Dayton, NV; Change of Executive Director ONLY!
 - l. Fuller, Terri; *Terri Fuller – Agent*; 45 Silver Street, Dayton, NV; Change of Location ONLY!
 - m. *Gerhart, Maggie L.*; 4170 Mira Loma Drive, Reno, NV; Renting/Leasing of Commercial Office Space
 - n. *Hoover, Donald G.*; 610 Champions Drive, Dayton, NV; Handyman Services
 - o. Hansen, Ira D. & Alexis; *Ira Hansen & Sons Plumbing & Heating, Inc.*; 58 Hardy Drive, Sparks, NV; Plumbing Contractor
 - p. Alexander, James R.; *J. Alexander Enterprises*; 158 Oakridge Drive, Dayton, NV; Automotive Business Consulting & Product Sales
 - q. Codega, Jeff & Barbara; Spencer, Kirk; Railey, Michael etal; *Jeff Codega Planning & Design, Inc.*; 750 Sandhill Road, Reno, NV; Professional Consulting, Civil and Surveying Engineering Services
 - r. Lopiccicolo, Mark A.; Marco Construction and Cabinets, Inc. dba/ *Lopiccolo Construction*; 494 Hot Springs Road, Carson City, NV; Residential & Small Commercial Construction
 - s. Chadwick, Mike; *M.C. Drywall*; 88 Miles Road, Mound House, NV; Change of Location ONLY!
 - t. Tenbrink, Kyle A.; *Old School Painting, Inc.*; 541 Yellow Jacket Road, Dayton, NV; Change of Address ONLY!
 - u. Newness, Charles P.; *Pro-Tax*; 6012 Hwy 50 East, Dayton, NV; Tax & Accounting Office
 - v. Harris, Sally J. & Harris, Teri; *Shadow Mountain Real Estate*; 45 Silver Street, Dayton, NV; Change of Location ONLY! (Sharing office space with Farmers Insurance)
 - w. Bobula, Todd Z.; *TZB Service*; 640 Andrea Way, Dayton, NV; Lawn & Yard Maintenance
 - x. Taunton, Ken C.; *Taunton's Maintenance and Repair*; 1365 Rose Way, Gardnerville, NV; Handyman Services
 - y. Mueller, Robert D.; *Town & Country Electric, Inc.*; 1542 Pittman Avenue, Sparks, NV;

Electrical Contractor

- z. Kelley, Scott J.; *Ultimate Clean Rides, LLC*; 130 Sawgrass Lane, Dayton, NV; Mobile Car Wash Unit
 - aa. Grant, Kathy & Charles; *Valley Door Works*; 1247 Hwy 395, Gardnerville, NV; Sales & Installation of Doors
 - bb. Walker, Kathy M.; *Kathy Walker – Realtor*; 45 Silver Street, Dayton, NV; Change of Location ONLY!
 - cc. Silva, Nikki D. & Collin, Dean; *Yesterday's Treasures, LLP*; 4960 Hwy 50 East, Dayton, NV; New & Used Thrift Store
10. **Notification of how many delinquent 1st year tax letters were sent and returned**
 11. **Request to release a portion of an improvement bond for Nelson & Josephine De Vega, Stagecoach, (parcel no.15-051-45 & 15-051-46 (formerly 15-051-39)**
 12. **Approve inter-local agreement for Lyon County to continue to be included in the Western Nevada HOME Consortium for the next three fiscal years**
 13. **Approve agreement with Research and Consulting Services, Inc. (RCS) to administer the HOME program for Lyon County**
 14. **Approve a request by the Utilities Director for the Board to authorize staff to proceed with applying for a United States Department of Agriculture for the Rural Community Development Initiative (RCDI) grant to cover portions of the Preliminary Engineering Report related to the Mound House Sewer Project and authorize the Utilities Director to sign the grant application on behalf of the County**
 15. **Approve the Lyon County Sheriff to sign agreement with Securus Technologies for inmate telephone services**
 16. **Approve the refurbishment of the Mound House basketball court located at Vondel Rose Park, in the amount of \$9,999.00, funding to come from Park Tax Budget**
 17. **Approve the refurbishment of the Silver City basketball court located in Silver City Park, in the amount of \$8,088.00, funding to come from Park Tax Budget**
 18. **Approve the Citizen Advisory Council Budget Policy**
 19. **Review and accept travel claims as presented by Comptroller**

Travel Claims totaled \$4,989.70 and registrations totaled \$2,230.00.

20. **Review and accept County claims and financial report as presented by Comptroller**

Pay Bills totaled \$4,178,712.44 and payroll totaled \$1,067,860.98.

Comm. Milz made a motion to approve the consent agenda with item #10 being heard separately. Comm. Hunewill seconded and the motion passed unanimously 5-0.

Comm. Milz questioned the availability of the figures as stated in item #10.

Comm. Milz made a motion to approve item #10 with the figures forthcoming. Comm. Hunewill seconded and the motion passed unanimously 5-0.

ITEM #47 WAS HEARD AT THIS TIME.

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

RECESS TO CONVENE AS THE LIQUOR BOARD FOR LYON COUNTY

21. **Review and possible action of temporary liquor license applications**

- a. **Smith Valley Fire Protection District; 54th Annual Steak Fry and Dance; Smith Valley Fire Station; 1 Hardie Lane, Smith, NV; Temporary Liquor Permit for: July 12, 2008 ONLY!**

Comm. Hunewill made a motion to approve as presented. Comm. Goodman seconded and the motion passed unanimously 5-0.

22. Public participation

There was no public participation.

ADJOURN TO RECONVENE AS THE LYON COUNTY BOARD OF COMMISSIONERS

****CONSENT AGENDA FOR SPECIAL USE PERMIT REVOCATION****

23.

- a. **LONGYEAR COMPANY /CLUSIAU ENTERPRISES, INC** – Revocation of a special use permit issued February 1989 to utilize a mobile home for watchman's quarters located at 32 Stokes Drive, Mound House (APN 16-181-07)
Revoke due to the fact the mobile home is being used as office space.
- b. **GOBLE, RUBY M., TRS / FUSSELL, FENTON M., SR.** – Revocation of a special use permit issued May 2001 to use additional mobile home for a hardship case on 2.31 acres; located at 9030 Calico Trail, Stagecoach (APN 15-413-13)
Revoke due to the fact the hardship no longer exists.
- c. **WESTERN NEVADA MATERIALS/ O'CALLAGHAN, DANIEL I. TR.** – Revocation of a special use permit issued September 2003 to operate an aggregate plant on approximately 826 acres of a 2096.45 total acre parcel all located off of Fort Churchill Road, Dayton (APN 16-023-01))
Revoke at the new owner's request.
- d. **RIVERVIEW ESTATES, LLC** – Revocation of a special use permit issued July 2005 to allow a commercial coach to be used as a sales office for the Gold Canyon Estates, Phase 2, Subdivision, on approximately 6.74 total acres, located at Dayton Valley Road and Quilici Road, Dayton (Old APN 16-271-18 – New APN 29-404-01)
Revoke at the applicant's request.
- e. **WELL OF WORSHIP/PACIFIC WEST CONF. OF THE INT. PENTECOSTAL HOLINESS** – Revocation of a special use permit issued August 2004 to construct a church on approximately 30 total acres; located North of U.S. Highway 50, in the Dayton area (APN 06-111-01)
Revoke due to the applicant's failure to respond to staff's attempts of contact and there has been no activity on the parcel since the approval of the special use permit.
- f. **CHASE DEVELOPMENT/ LANDMARK HOMES & DEVELOPMENT/ BCB VENTURES** – Revocation of a special use permit issued December 1998 to place a 20' x 18' sign on approximately 12.39 total acres; located at 2550 Highway 50 East, Dayton (APN 16-403-07)
Revoke at applicant's request.
- g. **MESSINA, THOMAS/ HOFER, PATRICIA** – Revocation of a special use permit issued April 2005 to continue the use of an Office Building, Mini-Storage Units and Recreational Vehicle Storage on approximately .87 total acres; located at 401 Dayton Valley Road, Dayton (APN 16-362-07)
Revoke due to change of ownership.
- h. **SEUBERT, DONALD & SOPHIA/ SUEBERT FAMILY LIMITED PARTNERS** – Revocation of a special use permit issued October 1991 for a sand and gravel operation, and modified October, 1994 to add an additional 7.5 acres, all on a portion of 98.54 total acres located off of Highway 339 and Nordyke Road, Mason Valley (APN 12-332-07);

and on a portion of a 189.79 total acre parcel located at 800 Highway 339, Mason Valley (APN 12-332-05)

Revoke at applicant's request.

- i. **JACKSON, ROBERT/MELTON, MATTIE** – Revocation of a special use permit issued November 1995 to utilize a mobile home for ranch help on approximately 20.04 total acres; located at 1243 Highway 208, Mason Valley (APN 12-401-20)

Revoke at applicant's request.

- j. **ROSASCHI, LESTER & CONNIE, CO-TRS.** – Revocation of a special use permit issued January 1996 for a breeder's kennel for approximately 6 dogs located at 2785 Highway 338, Smith Valley (APN 10-821-03)

Revoke at applicant's request.

- k. **VERIZON WIRELESS/ WESTERN NEVADA RAIL PARK, LLC** – Revocation of a special use permit issued September 2005 to allow an existing non-conforming wireless communication facility to expand or enlarge for future co-location purpose, on approximately 83.30 total acres; located at 5550 US Highway 50 Alternate, Fernley (APN 21-392-10)

Revoke at applicant's request.

Comm. Hunewill made a motion to approve the special use permit revocation consent agenda as presented. Comm. McPherson seconded and the motion passed unanimously 5-0

****END OF SPECIAL USE PERMIT REVOCATION CONSENT AGENDA****

****CONSENT AGENDA FOR PLANNING APPLICATIONS****

24. **KELLY, QUIRT & DENA** – **SPECIAL USE PERMIT** - Request for a special use permit to operate a residential industry, from a residence, on approximately five (5) total acres, zoned RR-3, Third Rural Residential District (5 acre minimum), located at 182 Artist View Road, Smith Valley (APN 10-281-35) PLZ-08-0016 with the following conditions:

1. The applicant shall comply with all State, County, federal and special district rules and regulations as they apply to this special use permit.
2. The applicant shall procure and/or maintain a Lyon County business license.
3. If lighting is provided, it shall be downward shining and so arranged to reflect away from residential areas, any public street or highway. No lighting shall shine onto adjoining properties.
4. No signage is allowed as part of this Special Use Permit.
5. The applicant shall comply with all applicable fire and building code requirements.
6. The applicant shall acquire all State, County and special purpose district permits and obtain all necessary public inspections.
7. The Planning Department may require the applicant to make improvements to mitigate noise or other adverse impacts identified after the issuance of the special Use Permit. The applicant shall obtain Planning Department approval of any such improvements prior to the issuance of any building permits, if necessary, and/or construction.
8. All of the requirements placed on the special use permit by the County Building Official, Smith Valley Fire Protection District, Planning Director, and other agencies with jurisdiction shall be met prior to the applicant commencing use of the site.
9. No change in the terms and conditions of the special use permit, as approved shall be undertaken without first submitting the changes to Lyon County and having them modified through a public hearing process.
10. The substantial failure to comply with any conditions imposed on the issuance of a special use permit or the operation of a special 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 special use or the non use of the permit for a year may result in the institution of revocation proceedings.
11. The special use permit is subject to annual review by Lyon County.

Comm. Hunewill made a motion to approve the consent agenda for planning applications as presented subject to the conditions. Comm. Goodman seconded and the motion passed unanimously 5-0.

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

****PUBLIC HEARING ON REGULAR PLANNING APPLICATIONS****

25. **DIAMOND HOT SPRINGS/JAMIESON, BRAD D./HOMESTRETCH ENERGY, LLC – PLANNED UNIT DEVELOPMENT** – Request for a 54 lot, single family residential Planned Unit Development, including five water-ski lakes, on approximately 160 acres, and effecting a change in zoning from M-1, General Industrial District on APN 14-071-01(approximately 40 acres) and from M-E, Industrial Estates District, on an approximately 120 acre portion of APN 14-071-02 to PUD, Planned Unit Development District, located at 75 Julian Lane, Mason Valley (APNS 14-071-01 & 14-071-02) PLZ-07-0056

Planning Director Rob Loveberg presented this item. He commented that the Planning Commission had previously denied this project. The item was then brought back to the Planning Commission at the Board's request. A motion was made at the Planning Commission meeting to approve the application with 40 conditions and the motion failed, so this application is brought back to the Board of Commissioners with no recommendation.

Dennis Smith of Western Engineering represented the applicant. He commented that he and the applicant would like to have some changes made to the conditions.

There was discussion regarding the amount of water standing along Highway 95A in the Wabuska area. The quality of the water was discussed.

Comm. Hunewill mentioned that the application states that the water will go to the wildlife area. She also noted that the Tribe has already stated that the water is not suitable to enter the Walker River.

Utilities Director Mike Workman asked for in-depth studies on water and wastewater treatment options. He commented that his department would track time spent on reviews through the work order process which is paid by the applicant.

Laura Smith, a resident of Yerington, stated that she is considering purchasing property in this area and wondered how this will affect that. She was informed that the residential land use was approved previously and the issue today is only the PUD map.

Comm. Milz made a motion to approve the planned unit development as presented subject to the following conditions:

1. The applicant shall provide a revised Development Handbook containing "design regulations" in sufficient detail to constitute an enforceable standard, providing site specific plans for all project entry treatments, park areas, and streetscapes, providing a landscape program with standards and design requirements commensurate with the lot sizes and site conditions, and containing corrections to eliminate inconsistencies, inaccuracies and omissions. The Planning Director shall determine the adequacy any proposed "design regulations."
2. The applicant shall provide revised CC&Rs and other legal instruments containing sufficient detail to constitute enforceable provisions for the operation and maintenance of the planned unit development, complying with the provisions of Lyon County Code and Nevada Revised Statutes, and containing corrections to eliminate inconsistencies, inaccuracies and omissions for review by the Planning Director and District Attorney's Office.
3. The applicant shall install and maintain landscaping improvements within the road rights-of-way and Common Open Spaces to the satisfaction of the County. Documentation to the satisfaction of the County must be recorded to provide that the developer, homeowners' association or suitable maintenance entity shall be responsible for maintenance of all landscaping within rights-of-way, easements and common open space

areas and Lyon County shall have no financial responsibility for maintenance of these improvements.

4. The tentative plan shall be subject to the following terms and conditions:
 - a. The improvements required by the terms of Title 11 of the Lyon County Code shall be inspected by the County as the work progresses. Such improvements shall not be started until the inspection fee, required as a prerequisite to the filing of the final map, has been paid.
 - b. Prior to any construction of improvements, a preconstruction conference shall be held between the contractor/developer and the appropriate County inspection personnel.
 - c. At time of inspection fee being paid, a permit will be issued by Lyon County this shall be done prior to the preconstruction conference and Lyon County engineer is to be involved in the inspection process and review.
5. The applicant shall comply with all Federal, State, County and special purpose district regulations.
6. The applicant shall make corrections of any engineering or drafting errors and other technical map corrections to the satisfaction of the County Engineer and Planning Director prior to submitting the map for recordation.
7. The applicant shall pay the actual costs for County Engineer plan and map checking and County Inspector site improvement inspection fees, in accordance with the adopted County fee resolution in effect at the time, and provide proof of payment to the Planning Department prior to map recordation.
8. The applicant shall comply with Lyon County improvement requirements as set forth in Chapter 11.07 of the Lyon County Code including, but not limited to:
 - a. The applicant shall comply with the road improvement standards set forth in Chapter 11.07.01 and 11.07.14 as they relate to on and off-site access, street grading, street alignment, surfacing and width in an RR-1 zoning district for all streets within the PUD, Home Stretch Road and the secondary access road.
9. The applicant shall construct all internal roads and off-site roads necessary to provide legal and physical access according to the County road standards and in accordance with the following:
 - a. Horizontal and vertical street alignments must be designed in accordance with "A Policy on Geometric Design of Highways and Streets", latest addition, published by the American Association of State Highway Transportation Officials. Local streets serving less than 75 lots must be posted with the appropriate speed limit signs. The minimum cross slope on asphalt paving or gravel roadways shall be 2-percent.
 - b. Road and traffic signage shall meet or exceed County standards.
10. The developer shall obtain all necessary approvals and encroachment permits, and coordinate and comply with any requirements placed on this subdivision by the Lyon County Road Department or the Nevada Department of Transportation (NDOT).
11. A detailed geotechnical report must be submitted that includes roadway structural sections. The minimum thickness of asphalt concrete pavement shall be 3-inches for local streets, 4-inches for collector streets and 5 inches for arterial streets.
12. The proposed street names, as depicted on the Tentative Plan for the Diamond Hot Springs Estates PUD are approved, subject to review and approval by the appropriate public agencies. The applicant shall submit new and/or replacement street names to the Planning Department as needed. The Planning Director is authorized to administratively process a request for a replacement street name(s), obtain review and comment from the fire district with jurisdiction, Road Department and any other appropriate agency, and approve a revised street name(s) without the requirement of a public hearing before the Planning Commission.
13. All building construction shall comply with FEMA flood hazard requirements.
14. The applicant shall comply with Lyon County's 1996 drainage guidelines. The applicant shall demonstrate that the proposed drainage facilities will comply with the Lyon County Drainage Requirements to the satisfaction of the County Engineer prior to approval of improvement plans. The drainage report must address offsite drainage. Major drainage facilities shall be constructed in the first phase of development, and each phase or building development shall have drainage improvements that tie into the major facilities and function without dependency on improvements in future phases of development.
15. The applicant shall complete any and all required development improvements and facilities to the satisfaction of the Planning Director, County Engineer, Road Manager, Utilities Director, Building Department Director, Fire District or other authorized County personnel, as applicable, or an appropriate security must be provided and approved prior

- to map recordation. There may be temporary restrictions to obtaining building permits even with an acceptable security instruments depending on the County's approval of the various systems. All facility construction shall be completed and inspected to the Building Official's satisfaction before occupancy will be allowed in any residence.
16. The applicant shall comply with all applicable building and fire code requirements.
 - a. No building permits shall be accepted for processing until the map has been approved and recorded.
 - b. Building permits shall be issued in compliance with Title 10 and 11 of the Lyon County Code.
 17. The applicant shall comply with County requirements, in accordance with Chapter 11.07.14(F) of the Lyon County Code, mandating that a grading permit(s) be obtained for site development work.
 18. The applicant shall provide written evidence demonstrating that the proposed community water system meets or exceeds all water quality and design requirements of NDEP prior to approval of improvement plans and prior to map recordation. The County may at its own discretion require a third party review of water system plans. The cost of such third party review to be borne by the applicant. Applicant to work with Lyon County Utility Director regarding the permit and inspection process.
 19. The applicant shall provide written evidence demonstrating that individual on-site septic systems can be permitted at the density contemplated by the project, and relation to lake locations.
 20. The tentative map must be revised to show the location of the flood zone, and final maps and improvement plans must have the flood zone shown on the plans in relation to the development. A CLOMR (Conditional Letter of Map Revision) or CLOMR-F (Conditional Letter of Map Revision based on fill) and LOMR (Letter of Map Revision) or LOMR-F (Letter of Map Revision based on fill) is required from FEMA for any parcels located within the special flood hazard area zone A.
 21. The tentative map must show street structural sections that are compliant with Lyon County minimum street sections, and in compliance with recommendations from an approved geotechnical report. Roadway structural sections must be based on R-values taken at locations evenly distributed throughout the site. Additional R-values may be required at roadway sub-grade elevations if soil conditions vary significantly from those anticipated in the detailed geotechnical report. A note to this effect must be placed prominently on the plans. Structural section calculations must be submitted that show the proposed structural section is adequate.
 22. Contours and elevations on the improvement plans must be based on an established datum.
 23. The proposed project phasing must be clearly delineated on a revised tentative map. Home Stretch Road and the secondary access road must be constructed at the completion of 12 lots.
 24. The applicant must improve the Highway 95A/Julian Lane intersection to include an exclusive right turn lane with deceleration length of 545-feet at the south approach, as recommended by the traffic report.
 25. The water system must meet the requirements of the Mason Valley Fire Protection District and be constructed in accordance with the following:
 - a. A minimum required fire flow is required for each fire hydrant as directed by the Mason Valley Fire Protection District.
 26. Prior to any combustible materials being brought on site the following shall occur:
 - a. All required fire hydrants are to be installed and fully operating.
 - b. Street name signage shall be installed.
 27. Distinct and legible "temporary" addresses are required of any structures under construction until such time as permanent address numbers are installed and posted.
 28. The developer, homeowners' association or suitable maintenance entity shall be responsible for maintenance of roads, easements and drainage facilities within the development and all access roads unless formally accepted by Lyon County, as well as the storm water detention facilities, whether it is onsite or offsite. Lyon County shall have no financial responsibility for maintenance of these facilities if they are located outside of public rights-of-way.
 29. No lot shall be offered for sale or sold until the final map has been approved and recorded.
 30. The applicant will maintain the property until the development is complete. This maintenance will include the semi annual mowing of all weeds within the development

boundaries and the removal of noxious weeds when they are identified. The applicant shall obtain any required air quality permit(s) from the Nevada Division of Environmental Protection (NDEP) and apply appropriate dust abatement processes as part of the development construction.

31. The applicant shall post and maintain a rules and regulations sign at the entryways to the property until it is fully developed. The signs shall be intended for the subcontractors performing work and shall include: 1) no loud music 2) no alcohol or drugs 3) dispose of personal trash and site debris 4) clean up any mud and or dirt that is deposited from the construction parcels onto the streets 5) no burning of construction or other debris on the property.
32. All debris on construction sites must be contained and removed periodically as required for safety and cleanliness to the satisfaction of the Lyon County Building Department.
33. All property taxes must be paid in full through the end of the fiscal year (June 30) and any applicable agricultural deferred taxes shall be paid in full prior to recordation of any final map.
34. The applicant shall comply with the final subdivision map requirements as prescribed by NRS 278 and Title 11 of the Lyon County Code.
35. Required recording fees to be paid at time of recording map.
36. Phasing of the planned unit development must be in conformance with the conceptual phasing plan submitted as part of the PUD application. Any proposed change or revision to the phasing plan must be submitted for approval of the Board of Commissioners prior to the recordation of the first, or any subsequent final map in a series of final maps.
37. All appropriate fees and actual costs for map reviews and field inspections must be paid prior to map recordation in accordance with the adopted County fee resolution in effect at the time.
38. Approval of the tentative plan for the planned unit development shall not constitute acceptance of the final map. An application for final approval of the plan (final map), or any portion of the plan, must be filed within one year from the date of County Commission tentative approval. In no event shall the first application for final approval be filed later than one year from the date of County Commission tentative approval. The Board of County Commissioners with the recommendation of the Planning Department may grant to the subdivider a single extension of not more than one year within which to record a final map after receiving approval of the tentative plan, or the recordation of a final map.
39. The applicant shall provide the final subdivision map to the Lyon County GIS Coordinator in form and format compatible with the County geographical information system (GIS) pursuant to 11.05.09 of the Lyon County Code. The scale of the site plan, improvements, monuments and other items shall be in model space correctly oriented to coordinate system as established by the GIS Coordinator. Cover sheet and standard details need not be included.

Comm. McPherson seconded and the motion passed unanimously 5-0.

ITEM #44 WAS HEARD AT THIS TIME.

26. **MAITA, PHILLIP & MICHELLE** – **ZONE CHANGE** – Request to change the zoning from RVP, Recreational Vehicle Park to C-2, General Commercial Non-Residential District, on approximately 3.28 acres, located at 8230 Highway 50, Stagecoach (APN 15-433-01) PLZ-08-0032

Lyon County Planning Director Rob Loveberg presented the application. He explained that a restaurant is not allowed in the current zoning.

Comm. McPherson made a motion to approve the application as presented. Comm. Goodman seconded and the motion passed unanimously 5-0.

27. **FLATLEY, TERRANCE/CARSON RIVER ESTATES** – **TENTATIVE SUBDIVISION MAP** – Request for a tentative subdivision map for Carson River Estates Phase III, a proposed 12 single family residential lot development, on approximately 10.71 acres, located on 61 Quilici Road and Holley Lane, Dayton (APN 16-321-06 & 16-321-13) PLZ-08-0031

Lyon County Planning Director Rob Loveberg presented the application. Engineer Dennis Smith explained the conservation easements on the property.

Comm. Milz made a motion to approve the application subject to the following 35 conditions of the Planning Commission and an additional condition as recommended by Planning Director Rob Loveberg:

1. Approval of the tentative maps shall be conditional, subject to the following terms and conditions:
 - a. The improvements required by the terms of Title 11 of the Lyon County Code shall be inspected by the County as the work progresses. Such improvements shall not be started until the inspection fee, required as a prerequisite to the filing of the final map, has been paid.
 - b. Prior to any construction of improvements, a preconstruction conference shall be held between the contractor/developer and the appropriate County inspection personnel.
2. The applicant shall comply with all Federal, State, County and special purpose district regulations.
3. The applicant shall make corrections of any engineering or drafting errors and other technical map corrections to the satisfaction of the County Engineer and Planning Director prior to submitting the map for recordation.
4. The applicant shall pay the actual costs for County Engineer plan and map checking and County Inspector site improvement inspection fees, in accordance with the adopted County fee resolution in effect at the time, and provide proof of payment to the Planning Department prior to map recordation.
5. The applicant shall comply with Lyon County improvement requirements as set forth in Chapter 11.07 of the Lyon County Code including, but not limited to:
 - a. The applicant shall comply with the road improvement standards set forth in Chapter 11.07.01 and 11.07.14 as they relate to on and off-site access, street grading, street alignment, surfacing and width in an E-1 zoning district for access to the proposed parcels.
6. The applicant shall construct all internal roads and off-site roads necessary to provide legal and physical access according to the County road standards established for the E-1 zoning district and in accordance with the following:
 - a. Horizontal and vertical street alignments must be designed in accordance with "A Policy on Geometric Design of Highways and Streets", latest addition, published by the American Association of State Highway Transportation Officials. Local streets serving less than 75 lots must be posted with the appropriate speed limit signs. The minimum cross slope on asphalt paving shall be 2-percent.
 - b. Street Lighting shall be installed to County standards.
 - c. Road and traffic signage shall be installed to County standards.
7. The applicant shall make a perpetual offer of dedication for the right-of-way for the proposed cul-de-sac. The County will not accept the offer of dedication until some time after the improvements are inspected and approved by the County and the County accepts the improvements for maintenance.
8. A note shall be placed on the map that no direct access shall be allowed on to Quilici Road from any parcel (particularly proposed lots 4, 5, & 8), deed restrictions shall be recorded that prohibit direct access to Quilici Road and physical barriers shall be installed to the County Engineer's satisfaction.
9. The applicant shall provide the Baroni Ditch users with copies of the proposed Tentative Map, improvement plans for alterations to the Ditch and associated documents for their review, and the applicant must provide written evidence demonstrating that the Baroni Ditch users have reviewed and approved the tentative map, improvement plans for alterations to the Ditch and associated documents prior to approval and recordation of a final map.
10. The applicant shall provide CC&Rs, agreements, easements and other legal instruments containing sufficient detail to constitute enforceable provisions necessary for easements and maintenance for the proposed private driveways, access restrictions to Quilici Road, conservation easements, building location restrictions and/or envelopes, Baroni Ditch and its access and maintenance, and other provisions necessary for the subdivision as approved, for review by the Planning Director and District Attorney's Office.
11. The developer shall obtain all necessary approvals and encroachment permits, and coordinate and comply with any requirements placed on this subdivision by the Lyon County Road Department and Nevada Department of Transportation (NDOT).

12. A detailed geotechnical report must be submitted that includes roadway structural sections. The minimum thickness of asphalt concrete pavement shall be 3-inches for local streets, 4-inches for collector streets and 5 inches for arterial streets. The street structural section must be based on R-Values from an approved geotechnical report. The geotechnical engineer must inspect the street subgrade prior to the placement of aggregate base, to confirm the soils have the minimum R-Value required. A note to this effect must be prominently placed on the improvement plans.
13. The applicant shall submit a street name to the Planning Department for the cul-de-sac providing access to Quilici Road. Should any requested street name(s) be denied, the Planning Director is authorized to administratively process a request for a replacement street name(s), obtain review and comment from the fire district with jurisdiction, Road Department and any other appropriate agency, and approve a revised street name(s) without the requirement of a public hearing before the Planning Commission.
14. All building construction shall comply with FEMA flood hazard requirements. A revised tentative map must be submitted and approved by the Board of County Commissioners. The tentative map must show the limits of the FEMA Special Flood Hazard Area designated as zone AE and the designated floodway in relation to the proposed parcels and import of fill. The slopes adjacent to the flood zone/floodway must have adequate erosion control installed for the 100-year event. A Conditional Letter of Map Revision based on fill (CLOMR-F), Letter of Map Revision based on Fill (LOMA-F), Conditional Letter of Map Revision (CLOMR), Letter of Map Revision (LOMR) as appropriate for the situation is required. If the FEMA application refers to compliance with the endangered species act, an endangered species evaluation must be provided to the satisfaction of the planning director prior to his approval of the FEMA applications and prior to the placement of any fill.
15. The applicant shall comply with Lyon County's 1996 drainage guidelines. The applicant shall demonstrate that the proposed drainage facilities will comply with the Lyon County Drainage Requirements to the satisfaction of the County Engineer prior to approval of the improvement plans. Major drainage facilities shall be constructed in the first phase of development, and each phase or building development shall have drainage improvements that tie into the major facilities and function without dependency on improvements in future phases of development.
16. The applicant shall complete any and all required development improvements and facilities to the satisfaction of the Planning Director, County Engineer, Road Manager, Utilities Director, Building Department Director, Fire District or other authorized County personnel, as applicable, or an appropriate security must be provided and approved prior to map recordation. There may be temporary restrictions to obtaining building permits even with an acceptable security instruments depending on the County's approval of the various systems. All facility construction shall be completed and inspected to the Building Official's satisfaction before occupancy will be allowed in any residence.
17. The applicant shall comply with all applicable building and fire code requirements.
 - a. No building permits shall be accepted for processing until the map has been approved and recorded.
 - b. Building permits shall be issued in compliance with Title 10 and 11 of the Lyon County Code.
18. The applicant shall comply with County requirements, in accordance with Chapter 11.07.14(F) of the Lyon County Code, mandating that a grading permit(s) be obtained for site development work.
19. Structures placed on these parcels shall adhere to the County's site and setback standards for the E-1 and RR-1 zoning districts as it applies to each lot.
20. The applicant shall provide written evidence demonstrating that the proposed parcels are able to be served by municipal water and sewer systems prior to map recordation.
21. The water system must meet the requirements of the Lyon County Utilities Department and Central Lyon County Fire Protection District and be constructed in accordance with the following:
 - a. A minimum required fire flow is required for each fire hydrant as directed by the Central Lyon County Fire Protection District.
22. Prior to any combustible materials being brought on site the following shall occur:
 - a. All required fire hydrants are to be installed and fully operating.
 - b. Street name signage shall be installed.

23. Distinct and legible “temporary” addresses are required of any structures under construction until such time as permanent address numbers are installed and posted.
 24. The developer, homeowners’ association or suitable maintenance entity shall be responsible for maintenance of easements and drainage facilities within the development, as well as the storm water detention facilities, whether it is onsite or offsite. Lyon County shall have no financial responsibility for maintenance of these facilities if they are located outside of public rights-of-way.
 25. No lot shall be offered for sale or sold until the final parcel map has been approved and recorded.
 26. The applicant will maintain the property until the development is complete. This maintenance will include the semi annual mowing of all weeds within the development boundaries and the removal of noxious weeds when they are identified. The applicant shall obtain any required air quality permit(s) from the Nevada Division of Environmental Protection (NDEP) and apply appropriate dust abatement processes as part of the development construction.
 27. The applicant shall post and maintain a rules and regulations sign at the entryways to the property until it is fully developed. The signs shall be intended for the subcontractors performing work and shall include: 1) no loud music 2) no alcohol or drugs 3) dispose of personal trash and site debris 4) clean up any mud and or dirt that is deposited from the construction parcels onto the streets 5) no burning of construction or other debris on the property.
 28. All debris on construction sites must be contained and removed periodically as required for safety and cleanliness to the satisfaction of the Lyon County Building Department.
 29. All property taxes must be paid in full through the end of the fiscal year (June 30) and any applicable agricultural deferred taxes shall be paid in full prior to recordation of any final map.
 30. The applicant shall comply with the final subdivision map requirements as prescribed by NRS 278 and Title 11 of the Lyon County Code.
 31. Required recording fees to be paid at time of recording map.
 32. A phasing plan must be submitted prior to the recordation of the first final map if the development is to be phased.
 33. All appropriate fees and actual costs for map reviews and field inspections must be paid prior to map recordation in accordance with the adopted County fee resolution in effect at the time.
 34. Approval of the tentative map shall not constitute acceptance of the final map. Approval of the tentative map shall lapse unless a final map based thereon is submitted within two (2) years from the date of such approval, unless a provision for an extension of time has been granted. The Board of County Commissioners with the recommendation of the Planning Department may grant to the subdivider a single extension of not more than one year within which to record a final map after receiving approval of the tentative map.
 35. The applicant shall provide the final subdivision map to the Lyon County GIS Coordinator in form and format compatible with the County geographical information system (GIS) pursuant to 11.05.09 of the Lyon County Code. The scale of the site plan, improvements, monuments and other items shall be in model space correctly oriented to coordinate system as established by the GIS Coordinator. Cover sheet and standard details need not be included.
 36. The applicant shall provide a thirty foot (30 foot) public access and maintenance easement through the land described as “Conservation Easement” on the Tentative Map for the purpose of connecting existing and proposed trails along the Baroni Ditch and the Carson River floodplain. The easement shall provide a connection to the Lyon County owned parking and river access point (APN 29-401-01) on the south and to the public access easement along the southerly boundary of APN 16-321-21 to the north of the subject parcel. The applicant shall, at a minimum, install a 5-foot ADA compliant trail within the easement prior to recording the final map and after approval of appropriate improvement plans by the Lyon County Engineer.
- Comm. Goodman seconded and the motion passed unanimously 5-0.

****END OF REGULAR PLANNING APPLICATIONS AGENDA****

28. Discussion and possible action to approve the awarding of a bid for Silver Springs Airport Fire Suppression Line

Comptroller Josh Foli presented this item. He stated that the bid came in for much less than the estimate so now they will be able to proceed with the second phase.

Airport owner Kay Bennett invited everyone to the Fly-In.

Comm. Goodman made a motion to award the bid to Herback General Engineering in the amount of \$137,485.65. Comm. McPherson seconded and the motion passed unanimously.

29. Approve a proclamation declaring the month of May 2008 as Older Americans Month in Lyon County

Human Services representative Sara Brower presented this item and read the proclamation into the record.

Comm. Goodman made a motion to approve as presented. Comm. Hunewill seconded and the motion passed unanimously.

Human Services Director Edrie LaVoie presented correspondence from Governor Gibbons to Comm. LeRoy Goodman and Comm. Bob Milz for their service of a combined 25 years to the County in providing senior services.

30. Discussion and possible action on a proposed hydraulic analysis for the Carson River Bridge Feasibility Study (Cardelli Road & Sutro Street, Dayton) two proposals were submitted:

- 1) **Summit Engineering: Mapping Services \$2,000.00; Hydraulic Analysis \$17,500.00; Grading \$16,500.00**
- 2) **TEC-Civil Engineering Consultants: total amount of \$18,340.00**

Lyon County Engineer Richard Faber presented the item.

Comm. Milz questioned if this was the right place for the bridge.

County Manager Dennis Stark asked that a presentation be done in layman's terms so the status can be determined.

J. R. Hildebrand of TEC Engineering presented some criteria that will be considered in the study.

Comm. Milz made a motion to direct TEC Engineering to proceed with the study at a maximum cost of \$18,340.00 with the funding to come from the Surplus Maintenance Reserve Fund. Comm. Hunewill seconded the motion and it passed unanimously 5-0.

31. Discussion and possible action to approve Fernley Court Facility fee expenditure for court room benches, in the amount of \$6,618.00

Comptroller Josh Foli presented this item. He stated that the original estimate of cost was \$7,500 and this is to augment that budgeted amount.

Comm. Goodman made a motion to approve as presented with the additional funds to come from the court administrative fees. Comm. Hunewill seconded and the motion passed unanimously 5-0.

32. Discussion and possible action to approve the purchase of a boat for Search & Rescue in the amount of \$43,600

Comm. Goodman asked why a boat is required when the State of Nevada owns Lahontan.

Undersheriff Joe Sanford said that the State usually calls on the Lyon County Search and Rescue for searches at Lahontan. The boat was approved in the last budget cycle, but the bid came in at

\$8,600 over the \$35,000 that was approved. The \$8,600 will be transferred from the services and supplies line item in the Search and Rescue budget to the capital outlay line item.

Comm. Hunewill made a motion to approve as presented. Comm. Milz seconded the motion and it passed unanimously 5-0.

33. Discussion and possible action to approve the purchase of equipment trailer for the Road Department in the amount of \$3,500.

County Manager Dennis Stark presented this item for Road Manager Gary Fried. Mr. Fried found this trailer in State of Nevada surplus property. New cost of this trailer would be \$20,000.00.

Comm. Hunewill made a motion to approve as presented with the funds to come from the Capital Outlay line item in the Road Fund. Comm. Goodman seconded the motion and it passed unanimously 5-0.

34. Discussion and possible action to approve change in capitalization threshold from \$3,000 to \$10,000.

Comptroller Josh Foli stated this would cut down on bookkeeping time and seems a practical solution. Because of the high risk of theft, computers will continue to be monitored as in the past.

Comm. Hunewill made a motion to approve as presented. Comm. McPherson seconded and the motion passed unanimously 5-0.

35. Discussion and possible action concerning the Amendment of Agreement regarding implementation of The Herrmann Ranch Development Agreement, to extend the date by which the next final map must be recorded, pursuant to any tentative map in the Dayton Valley Planned Community project

Planning Director Rob Loveberg presented this item. He explained that due to market conditions this amendment would extend this agreement until July 2009.

Comm. Milz made a motion to approve as presented. Comm. Goodman seconded and the motion passed unanimously 5-0.

36. Discussion and possible action to approve a change of plan design for the Group Health Insurance \$250 PPO option for medical and prescription insurance effective July 1, 2008

Human Resources Director Steve Englert explained the proposed changes to the employee insurance.

Comm. Milz made a motion to eliminate the \$250 deductible option effective July 1, 2008, leaving three plans to choose from. Comm. Hunewill seconded and the motion passed unanimously 5-0.

RECESS TO CONVENE AS THE SILVER SPRINGS GENERAL IMPROVEMENT DISTRICT

37. Public Participation

There was no public participation.

38. Approve a request by the Utilities Director to expand the Silver Springs GID service area to include a single lot at 1135 West Spruce Avenue (APN 018-513-18) that will provide service for the new fire station

Comm. Goodman made a motion to approve as presented. Comm. McPherson seconded and the motion passed unanimously 5-0.

39. Review and accept claims and financial report

The cash balance as of April 30, 2008 was \$3,174,149.92. Pay bills totaled \$1,475.26 and payroll totaled \$1,664.79.

Comm. Hunewill made a motion to approve as presented. Comm. Goodman seconded and the motion passed unanimously 5-0.

ADJOURN TO CONVENE AS WALKER RIVER WEED CONTROL DISTRICT BOARD

40. Public Participation

There was no public participation.

41. Discussion and possible action to approve the purchase of an All Terrain Vehicle (ATV) for weed control use

Walker River Weed Control Administrator Bud Stinson stated that in the past the weed district has rented an ATV from the Mason Valley Mosquito District and now that ATV has mechanical problems and will be placed into surplus.

Comm. Hunewill made a motion to approve the bid from Smith Valley Equipment in the amount of \$5199. Comm. Milz seconded the motion and it passed unanimously 5-0.

42. Review and accept claims and financial report

The cash balance as of April 30, 2008 was \$98,677.62. Pay bills totaled \$32.50 and payroll totaled \$1,356.13.

Comm. Hunewill made a motion to approve as presented. Comm. Milz seconded and the motion passed unanimously 5-0.

ADJOURN TO RECONVENE AS THE LYON COUNTY BOARD OF COMMISSIONERS

43. Discussion and possible action to approve expenditure, not to exceed \$7,000.00, for continuing appraisal costs associated with an insurance claim for the Silver City Community Center

County Manager Dennis Stark presented this item and stated this has been an ongoing issue for a long time. He said he hopes this will help to resolve the issues with the insurance company.

Comm. Milz made a motion to approve continuing appraisal costs, not to exceed \$7,000, with T&M Concepts. Comm. Hunewill seconded and the motion passed unanimously 5-0.

44. 9:45 A.M. - Discussion and possible action to approve an ordinance designated by the short title '2008 Medium - Term Bond Ordinance; authorizing the issuance of and specifying the terms and conditions of the Lyon County, Nevada, General Obligation (limited tax) Crystal Clear Water System Medium-Term Bond, Series 2008. In the maximum principal amount of \$1,000,000 for the purpose of financing water projects; authorizing the County Comptroller or the County Manager to specify certain details in connection with the bond; providing for its adoption as if an emergency exists; and providing the effective date thereof.

Comptroller Josh Foli presented this item. He explained that this is the final piece of the financing for the Crystal Clear water line extension and will be paid back with grant funds and a long term bond from USDA.

Chairman Tibbals opened the public hearing. There was no public comment.

Comm. Hunewill made a motion to approve as presented. Comm. Goodman seconded and the motion passed unanimously 5-0.

45. Approve minutes

Comm. Hunewill made a motion to approve the minutes of April 17, 2008. Comm. McPherson seconded and the motion passed unanimously 5-0.

46. Adjourn

The meeting was adjourned.

47. Discussion and possible action to award bid for the use of storage water rights for 2008 on the east and west section of the Walker River

Comm. Milz made a motion to accept the bid from Mr. Marshall Hyne in the amount of \$87.00 per acre foot. Comm. Hunewill seconded and the motion passed unanimously 5-0.

LYON COUNTY BOARD OF COMMISSIONERS