County Commission meetings are open to the public and members of the public may attend in person and the meetings are also virtual and the public may attend via Virtual Zoom.

Public Comment: Lyon County allows the following. If you are attending the virtual Zoom meeting, public comment may be provided by raising your hand. This can occur in several ways, including by dialing *9 from your phone to raise your hand and request to speak for public comment. Then to unmute yourself, dial *6.

Written public comments may also be mailed to the Lyon County Manager's Office at 27 S. Main Street, Yerington, Nevada 89447, but all public comments must be received prior to the date of the meeting if the comments are to be included in the supplemental materials. Any written public comment received the day of the Board meeting will be compiled and added as supplemental materials to the County's website and distributed to the Board of Commissioners within 24 hours after the meeting.

You can also provide public comment, or request supporting materials, for this meeting by sending us an email to countyclerks@lyon-county.org. Be sure to type, PUBLIC COMMENT or DOCUMENT REQUEST in the subject line.

AGENDA

(Action will be taken on all items unless otherwise noted)
(No action will be taken on any item until it is properly agendized).

To avoid meeting disruptions, please place cell phones and beepers in the silent mode or turn them off during
the meeting.

The Board reserves the right to take items in a different order to accomplish business in the most efficient manner. Items may be combined for consideration and items may be pulled or removed from the agenda at anytime.

Restrictions on comments by the general public: Any such restrictions must be reasonable and may restrict the time, place and manner of the comments, but may not restrict comments based upon viewpoint.

BOARD OF COMMISSIONERS CONVENING AS OTHER BOARDS - Members of the Board of County Commissioners also serve as the Liquor Board, Central Lyon Vector Control District Board, Mason Valley Mosquito Abatement District Board, Walker River Weed Control District Board, Willowcreek General Improvement District Board, the Silver Springs General Improvement District Board, and during this meeting may convene as any of those boards as indicated on this or a separately posted agenda.

NOTE: THIS MEETING MAY BREAK BETWEEN 11:30 - 1:30 FOR LUNCH

1. Roll Call

2. Invocation Given By Kris Johnson of The Church of Jesus Christ of Latter-day Saints

3. Pledge of Allegiance

4. Public Participation (no action will be taken on any item until it is properly agendized) - It is anticipated that public participation will be held at this time, though it may be returned to at any time during the agenda. Citizens wishing to speak during public participation are asked to state their name for the record and will be limited to 3 minutes. The Board will conduct public comment after discussion of each agenda action item, but before the Board takes any action. Afterwards, please print your name at the Clerk's desk.

5. For Possible Action: Review and Adoption of Agenda

6. Time Certain

   6.a. Time Certain for 9:15am - For Possible Action: Presentation on the National Center for Public Lands Counties from Jonathan Shuffield, Legislative Director for Public Lands at the National Association of Counties; and to approve or deny a request for one time funding for the National Center for Public Lands Counties in the amount of $41,205.49 to be transferred from contingency.


7. Presentation of Awards and/or Recognition of Accomplishments

8. Commissioners/County Manager Reports

9. Elected Officials Reports

   9.a. For Report Only: Dayton Justice Court

   9.b. For Report Only: Canal Township Justice Court
10. Appointed Officials Reports

11. Advisory Board Reports

12. CONSENT AGENDA (Action Will be Taken on All Items) - All matters listed under the consent agenda are considered routine, and may be acted upon by the Board of County Commissioners with one action, and without an extensive hearing. Any member of the Board or any citizen may request that an item be taken from the consent agenda, discussed, and acted upon separately during this meeting.

12.a. For Possible Action: Approve the minutes from the Board of County Commissioners meeting held on April 20, 2023

12.b. For Possible Action: Approve the Clerk/Treasurer’s Affidavit to Commissioners that the Clerk/Treasurer’s Office mailed the property tax delinquency notices/tax due notices as required by Nevada law.

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

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

13. PUBLIC HEARING ON PLANNING ITEMS – (ACTION WILL BE TAKEN ON ALL ITEMS)

13.a. For Possible Action: Propose an ordinance amending Lyon County Code Title 15, the Lyon County Land Use and Development Code; table 15.320-1; table 15.320-2; table 15.320-3; table 15.320-4; to include in the Title 15 zone tables to identify which zoning districts allow restricted gaming and non-restricted gaming; when an ADR is required, and, when a CUP is or is not required for the restricted or non-restricted gaming; and other matters properly related thereto.

13.b. For Possible Action: Conditional Use Permit- CONTINUED FROM APRIL 6, 2023-To approve a Conditional Use Permit request from Blackcomb Property Group, LLC to allow a Self-storage/RV Storage facility in the CC (Community Commercial) zoning district on a three-acre parcel generally located to the southwest of the intersection of Dayton Valley Road and Como Road, west of the Carson River and U.S. Highway 50, at 222 Dayton Valley Road in Dayton (APN 006-091-10) PLZ-2022-213.

14. REGULAR AGENDA – (ACTION WILL BE TAKEN ON ALL ITEMS UNLESS OTHERWISE NOTED)

14.a. For Possible Action: Acknowledge resignation from Elaine St. John from the Dayton Regional Advisory Board.

14.b. For Possible Action: Approve Staci Lindberg, Lyon County Clerk Treasurer to purchase 5 rolling ballot bins in the amount of $350.00 each plus taxes and shipping

14.c. For Possible Action: Review and discussion for the appointment process of the Planning Commission and provide direction to the County Manager on the creation of a policy. (Requested by Comm.Hockaday)

14.d. For Possible Action: Appoint up to two members to the Debt Management Commission, with one member for the position of member at large with a term expiring December 31, 2024, and one member from the GIDs in the County: Applicants are Ethelda Marjorie Gartenberg for the GID member and any other applicants received prior to the meeting.

15. Future Agenda Requests – Administrative Policies and Procedures 1.05, A Commission Member or
elected/appointed department head may request an item be considered on a future agenda either by making an oral request at a County Commission meeting or submitting the request in writing to the County Manager at least 30 days prior to the meeting for which the item is requested to be placed on the agenda.

16. Commissioner Comments

17. Public Participation (no action will be taken on any item until it is properly agendized) - It is anticipated that public participation will be held at this time, though it may be returned to at any time during the agenda. Citizens wishing to speak during public participation are asked to state their name for the record and will be limited to 3 minutes. The Board will conduct public comment after discussion of each agenda action item, but before the Board takes any action. Afterwards, please print your name at the Clerk's desk.

18. Closed Session Pursuant to NRS 241.015(3)(b)(2) – To receive information from the District Attorney or counsel regarding potential or existing litigation involving a matter over which the Board has supervision, control, jurisdiction or advisory power, and to deliberate toward a decision on the matter, and pursuant to NRS 288.220, to receive a report on the status of ongoing labor negotiations; and direct staff accordingly.

19. Adjourn

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

Lyon County recognizes the needs and civil rights of all persons regardless of age, race, color, religion, sex, handicap, family status, or national origin. In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternate means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible agency or USDA’s TARGET Center at (202) 720-2600 (voice and T) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found on-line at http://www.ascr.usda.gov/complaint_filing_cust.html and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) Mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410; Fax: (202) 690-7442; or Email: program.intake@usda.gov

T.D.D. services available through 463-2301 or 463-6620 or 911 (emergency services) notice to persons with disabilities: members of the public who are disabled and require special assistance or accommodations at the meeting are requested to notify the Commissioners'/Manager's office in writing at 27 S. Main Street, Yerington,
NV 89447, or by calling (775) 463-6531 at least 24 hours in advance

Lyon County is an equal opportunity provider.

Agenda and Backup Material is
Available at www.lyon-county.org
Lyon County Board of County Commissioners Agenda Summary

Meeting Date: May 4, 2023

Agenda Item Number: 6.a

Subject: Time Certain for 9:15am - For Possible Action: Presentation on the National Center for Public Lands Counties from Jonathan Shuffield, Legislative Director for Public Lands at the National Association of Counties; and to approve or deny a request for one time funding for the National Center for Public Lands Counties in the amount of $41,205.49 to be transferred from contingency.

Recommendation:

Summary:

Financial Department Comments: This was not budgeted and would need to be paid from a transfer from the General Fund contingency.

District Attorney Comments:

County Manager Comments:

Attachments:
Presentation
Center for Public Lands Counties Letter
Page of Content
Invoice
National Center for Public Lands Counties

Advancing the policy and practice study of America’s public lands counties

Powered by the Western Interstate Region and the NACo Research Foundation
FURTHER THE FEDERAL GOVERNMENT’s UNDERSTANDING OF THE COUNTY ROLE IN RESPONSIBLE LAND, WATER AND RESOURCE MANAGEMENT

• County governments are leaders in the intergovernmental partnership with federal lands management agencies

• We work with officials from all levels of government, private stakeholders and other interested parties to reduce fuel loads on federal lands, prudently develop our natural resources to meet the nation’s economic needs, improve local economies, enhance recreational access to public lands, and conserve our lands and waters for future generations

• With improved understanding of our unique role, Congress has invested record sums recently to support public lands counties, including Payments In-Lieu of Taxes (PILT), Secure Rural Schools (SRS), and other revenue sharing programs

• Congress also granted new authorities to federal lands agencies to broaden the scope, pace and scale of their on-the-ground resource management work with local governments

• HOWEVER, we must continue to tell the county story, research innovation practices, nurture and build new relationships and networks, and address the mounting challenges and opportunities facing public lands counties
COUNTIES must research, evaluate and share lessons learned about the critical county contribution to sustainable resource management and evidenced-based practices for developing and enhancing collaborative partnerships, including public-private-community collaborations and intergovernmental coordination.

Therefore, the NACo and WIR Boards of Directors both moved at the 2022 NACo Annual Conference in July 2022 to proceed with developing the National Center for Public Lands Counties.

The Center will weave together the narrative around public lands counties and the national interest in our prosperity by showing how public lands are interconnected with the country’s needs. For example, a wildfire on federal land near a major water source could jeopardize water quality in a large urban region.

The National Center for Public Lands Counties will be an essential resource for public lands counties by sharing these stories with county officials, intergovernmental partners, the media, think tanks and other key influencers to demonstrate how prosperous public lands counties create a prosperous America.
MISSION AND OBJECTIVES

- **MISSION:** Advance the policy and practice study, research, and learning networks for America’s public lands counties

- **IMPERATIVE:** Enhance the long-term policy and practice research, capacity and information exchange of elected and appointed leaders from America’s public lands counties, including with federal and state policymakers, key stakeholders and influencers, the media, and the general public

- **OBJECTIVES:**
  - Enhance the understanding of national, state and county policymakers and influencers of the unique policy and practice issues facing America’s county officials in areas with federal public lands
  - Develop the policy and practice research, case studies, public forums, and learning networks necessary to advance and inform our nation’s policies and practices (including at the federal, state and local levels) impacting public lands counties
  - Foster intergovernmental relationships and dialogue on the intersection of federal, state and local policymaking and practices across the broad range of issues facing public lands counties, such as: landscape health, wildfire risk mitigation, watershed protection, economic competitiveness and job creation, enhanced public access to federal lands and waters, species management, and biodiversity health

- **FUNDRAISING GOAL:** $15 million over two years to establish a new research fund, known as the National Center for Public Lands Counties, within the NACo Research Foundation and co-governed with NACo’s Western Interstate Region (WIR) leadership
FUNDRAISING GOAL

• For the National Center for Public Lands Counties to meet its mission and serve as a long-term tool for public lands counties, a voluntary investment from state associations representing public lands counties is needed

• NACo staff, state associations of counties executives and county officials set a fundraising goal of $15 million over the next two years to build the staff capacity and partnerships to conduct this critical research and keep the Center on a sustainable financial course

• State association executives are asked to meet with their members and determine by January 31, 2023 what their state association can pledge as a voluntary contribution to the Center

• These funds will be managed under a 501(c)(3) within the NACo Research Foundation to support WIR’s collaboration with the National Center for Public Lands Counties. These funds will not be used for any partisan political purposes

• Initially, the Center will need 1-2 hard-working, passionate and talented writers who can help us tell the county story and conduct and develop key research to meet the National Center’s goals. We will then build staffing capacity, unique programming and impactful resources as appropriate
GOVERNANCE

- National Center’s Governing Board will consist of:
  - WIR Executive Committee (President, 1st VP, 2nd VP, Immediate Past President)
  - NACo Public Lands Steering Committee Chair
  - NACo Public Lands Steering Committee Subcommittee Chairs
  - Federal Lands Gateway County Official appointed by the NACo Public Lands Steering Committee Chair
  - NACo West Region Representative
  - NACo Executive Director
  - Executive Director from WIR Immediate Past President’s home state
  - NACo Public Lands Legislative Director and WIR Liaison, serving as NACo staff liaison to the governing board

- Governing Board will meet on a regular basis and develop an annual workplan based on the research priorities selected by the WIR Board of Directors and NACo Public Lands Steering Committee. At the WIR Annual Conference each May, the WIR Board of Directors and the NACo Public Lands Steering Committee will review the activities and performance of the Center and consider and adopt the proposed workplan for the next year.
Dear Members:

County governments are a leading voice in the intergovernmental partnership with federal lands management agencies. We work with officials from all levels of government, private stakeholders and other interested parties to prudently develop our natural resources to meet the nation’s economic needs, improve local economies, reduce wildfire risks, enhance access to public lands, and conserve our lands and waters for future generations.

Understanding our unique role, Congress has invested in programs to support public lands counties, including Payments In-Lieu of Taxes (PILT), Secure Rural Schools (SRS), and the American Rescue Plan’s Local Area and Tribal Consistency Fund (LATCF), while also granting new authorities to federal lands agencies to broaden the scope, pace, and scale of their on-the-ground resource management work with local governments.

To fully optimize these opportunities and investments, counties must share on-the-ground experiences and lessons learned to educate government officials and the public about the critical county contribution to sustainable resource management and best practices for collaborative partnerships. Therefore, the National Association of Counties (NACo) and the Western Interstate Region (WIR) Boards of Directors both moved at the 2022 NACo Annual Conference to proceed with developing a National Center for Public Lands Counties (The Center).

The Center will be governed by a body consisting of the WIR Executive Committee, the NACo Public Lands Policy Steering Committee Chair and Vice Chairs, the state association executive from the WIR Immediate Past President’s home state, and the NACo CEO/Executive Director. The governing body will meet on a regular basis to provide updates to county officials on the Center’s progress and discuss the Center’s financial health, research priorities, and media efforts.

The Center will conduct evidence-based research, compile county data, and weave together the narrative around public lands counties. The Center’s research will demonstrate how public lands, and the health of the communities surrounding them, are interconnected with broader national interests. The Center will provide public lands counties with data, fact sheets, and narratives to share with peers, policy makers, the media, think tanks, and other key players to demonstrate how prosperous public lands counties create a prosperous America. The Center will also utilize digital media, such as podcasts and video interviews, and develop written county profiles focused on:

- County partnerships with federal agencies, states, tribes and landowners to reduce wildfire risk, responsibly develop energy and minerals, improve public access to federal lands, protect watersheds, conserve species and their habitat, and protect our national parks and other natural treasures.
• County investments of PILT, SRS and other natural resource revenue payments to benefit their citizens and surrounding public lands.

• The different economic drivers in rural vs. urban public lands counties.

• Development and implementation of county natural resource management plans and baseline socioeconomic data for environmental analyses.

• Resource values and revenues of federal lands compared to nearby privately owned lands.

• Meeting the unique challenges facing public lands counties, such as affordable housing for residents and federal employees, ensuring a stable tax base to deliver critical services, and managing infrastructure on federal lands.

The Nevada Association of Counties has a unique opportunity to invest in The Center. NACo staff, state associations of counties executives, and county officials set a fundraising goal of $15 million over the next two years to create a trust fund which will set The Center on a sustainable financial course to hire necessary staff and conduct critical public lands research. Your one-time contribution will be based on the LATC funding you received and will be assessed from the Nevada Association of Counties. Your donation to this newly created National Public Lands Center is payable in two lump sum payments over the next two years which will equate to 1% of the unanticipated LATC revenues. If we are successful, this initial one-time investment will pay dividends by supporting The Center for generations to come. While the state association is coordinating the acceptance of each county’s contribution, we are not receiving any revenue from this endeavor. The NACO board shares the goals of The Center and believe this is a long time overdue.

This initiative was developed by Western Interstate Region past president, Commissioner Greg Chilcott (Ravalli County, Montana) and NACo Public Lands Steering Committee Chairman, Commissioner Todd Devlin (Prairie County, Montana). The Center was also supported at WIR by Humboldt County Commissioner, Jim French, Elko County Commission, Rex Steninger, and on the NACo Executive Board by Lincoln County Commissioner, Varlin Higbee. The initiative was then voted on and endorsed by the NACO Public Lands and Natural Resources Subcommittee and approved by the Nevada Association of Counties (NACO) Board of Directors at the November 2022 meeting. If you have any additional questions or need any more information, please don’t hesitate to reach out to us.

Sincerely,

Vinson Guthreau
Executive Director
National Center for Public Lands Counties

County governments are a leading voice in the intergovernmental partnership in responsible resource management. Understanding our unique role as co-regulators and conveners, Congress has consistently supported appropriations for critical programs like Payments In-Lieu of Taxes (PILT) and Secure Rural Schools (SRS) and granted new authorities to federal lands agencies to broaden the scope, pace and scale of their on-the-ground resource management work with local governments.

To truly benefit from these unique opportunities and investments, counties must accelerate our evidence-based research, peer information exchanges, and overall understanding of our lessons learned, emerging trends analysis, and priority public policy issues.

The NACo and WIR Boards of Directors therefore established the National Center for Public Lands Counties (The Center) to give public lands counties an enhanced opportunity to demonstrate how prosperous public lands counties create a prosperous America. The Center will utilize traditional and new media—such as podcasts and video interviews—to tell these stories and develop detailed, individual research and written county profiles focused on:

- County partnerships with federal agencies, states, tribes and other counties to reduce wildfire risk, responsibly develop energy and minerals, enhance recreational access to federal lands, improve watersheds, conserve species and their habitat, and protect our national parks and other natural treasures
- County investments of PILT, SRS and other natural resource revenue payments to benefit residents, visitors and surrounding public lands
- The different economic drivers in rural vs. urban public lands counties
- Development and implementation of county natural resource management plans and baseline socioeconomic data for environmental analyses
- Resource values of federal lands compared to nearby privately owned lands
- Meeting the unique challenges facing public lands counties, such as housing affordability for residents and federal employees, ensuring a stable tax base to deliver critical services, and managing infrastructure on federal lands

For the Center to meet its mission and serve as a long-term tool for public lands counties, a voluntary investment of $15 million over the next two years is needed to hire the necessary staff to conduct this critical research and keep the Center on a sustainable financial course. Initially, the Center will need 1-2 hard-working, passionate and talented writers who can help tell the county story. The Center will report to the NACo and WIR Board of Directors on its financial health and issue an annual report at the annual WIR Conference.

The Center’s governing body will be made up of the following individuals within NACo leadership:

- WIR Executive Committee (President, 1st VP, 2nd VP, Immediate Past President)
- NACo Public Lands Steering Committee Chair
- NACo Public Lands Steering Committee Subcommittee Chairs
- NACo West Region Representative
- NACo Executive Director
- Executive Director from WIR Immediate Past President’s home state
The Center’s governing board will also be empowered to develop an annual workplan based on the research priorities selected by the WIR Board of Directors and NACo Public Lands Steering Committee. At the WIR Annual Conference each May, the WIR Board of Directors and the NACo Public Lands Steering Committee will review the activities and performance of the Center and consider and adopt the proposed workplan for the next year.

In order to leverage the expertise of NACo’s public lands membership, the governing board will also have the ability to appoint research subcommittees made up of county officials, based on the research priorities selected by the WIR Board of Directors and NACo Public Lands Steering Committee, to coordinate and oversee the research efforts of the National Center. Research work conducted by the National Center will be non-partisan, aligned with NACo policy and priorities and will not directly conflict with the interests of any county.

**NACo staff contact:** Jonathan Shuffield, NACo Legislative Director for Public Lands, at 512.965.7268 or jshuffield@naco.org
THANK YOU FOR YOUR SUPPORT!

NEVADA ASSOCIATION OF COUNTIES

304 S. Minnesota St.
Carson City, NV 89703

Lyon County
ATTN: Andrew Haskin
27 S. Main St.
Yerington, NV 89447

# DESCRIPTION | AMOUNT |
--- | --- |
National Public Lands Center Assessment | 41,205.49

**Description:**
This one-time contribution will fund the National Public Lands Center ("the Center"), housed within the National Association of Counties (NACo) & Western Interstate Region (W.I.R.). The suggested contribution is based on 1% of your Local Assistance and Tribal Consistency fund (LATCF) award. Payment of this contribution can be made in two installments.

**These are treated as pass-thru funds from your State Association payable to The Center.**

| TOTAL DUE | $ 41,205.49 |

Make all checks payable to Nevada Association of Counties
If you have any questions concerning this invoice, contact:
Amanda Berg, Office Manager aberg@nvnaco.org or 775-883-7863

THANK YOU FOR YOUR SUPPORT!
Lyon County Board of County Commissioners Agenda Summary

Meeting Date: May 4, 2023

Agenda Item Number: 6.b

Subject: Time Certain at 9:15AM: For Presentation Only: Ed James General Manager with Carson Water Subconservancy District to give a report on current and forecasted Carson River conditions.

Recommendation:

Summary:

Financial Department Comments:

District Attorney Comments:

County Manager Comments:

Attachments:
Lyon County Board of County Commissioners Agenda Summary

Meeting Date: May 4, 2023
Agenda Item Number: 9.a
Subject: For Report Only: Dayton Justice Court

Recommendation:

Summary:

Financial Department Comments:

District Attorney Comments:

County Manager Comments:

Attachments:
Criminal and Civil Statistics for March 2023
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## Criminal Case Dispositions

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**Other Manner of Disposition**

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**GRAND TOTAL DISPOSITIONS**

- **Total**:
  - Crimes Against Persons: 0
  - Domestic Violence: 0
  - Elder Abuse: 0
  - Protection of Elder or Victim: 0
  - Criminal Against Property: 0
  - Drugs: 0
  - Weapons: 0
  - Public Order: 0
  - Other: 0
  - Non-Traffic Misdemeanors: 0
  - Motor Vehicle - DUI: 0
  - Motor Vehicle - Reckless: 0
  - Traffic: 0
  - Parking: 0

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Nevada Trial Courts

**Court:** DAYTON JUSTICE COURT

Date: 3/1/2023 to 3/31/2023

Criminal Statistics Reporting

**Disposition Worksheet**

Justice (cont'd)/Municipal Court Case Types - Misdemeanors (Dictionary p. 4-6)

Prepared by: ANGELICA M.

Approved by: Chief Judge

Page 5 of 5

Nevada ADC - Research and Statistics Unit

Report generated on: 4/9/2023

Form RES-301 Rev 06/2008
### District & Justice Court Case Types - Felonies (Dictionary p. 1-4)

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Nevada AOC - Research and Statistics Unit

Report generated on: 4/9/2023

Form RS-301 Rev 06/2008
<table>
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<td>Graffiti Charges</td>
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<td>Death Penalty Imposed</td>
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### Additional Criminal Caseload Statistics (p. 6)

### Additional Criminal Proceedings (Dictionary p. 7-9)

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<td>Extradition Hearings</td>
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<td>Coroner's Inquest Hearings</td>
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<td>72-Hour Hearings</td>
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<td>Arraignment Hearings</td>
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<td>Preliminary Hearings</td>
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<td>Sentencing Hearings</td>
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<td>Grand Jury Proceedings</td>
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<td>Post-Adjudication Case Activity</td>
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<td>Request for Modification of Sentence</td>
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<td>Revocation Hearing</td>
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<td>Post Conviction/Relief</td>
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### Preliminary Hearing Continuances

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<td>Other</td>
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<td>Total Prelim Hearing Continuances</td>
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### Trial Continuances

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<tbody>
<tr>
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<td>0</td>
</tr>
<tr>
<td>Defendant Request (pro per)</td>
<td>0</td>
</tr>
<tr>
<td>Defense Attorney Request</td>
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<tr>
<td>Other</td>
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<tr>
<td>Total Trial Continuances</td>
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Prepared by: [Signature]

Approved by: [Signature]
## Civil Caseload

### (Dictionary p. 29-31)

<table>
<thead>
<tr>
<th>Case Type</th>
<th>Landlord/Tenant Case (Summary Eviction)</th>
<th>Unlawful Detainer (Writs of Restitution)</th>
<th>Other Real Property Case</th>
<th>Auto Negligence Case</th>
<th>Premises Liability Case</th>
<th>Other Negligence Case</th>
<th>Intentional Misconduct Case</th>
<th>Other Tort Case</th>
<th>Credit Card Collection Case</th>
<th>Payday Loan Collection Case</th>
<th>Debt Collection Case</th>
<th>Agency Case</th>
<th>Other Debt Collection Case</th>
<th>Contract Case</th>
<th>Breach/Plaintiff Case</th>
<th>Other Contract Case</th>
<th>Contested Lease Case</th>
<th>Other Civil Matters Case</th>
<th>Small Claims Case</th>
<th>Protection Orders</th>
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<td>0</td>
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<td>0</td>
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</tr>
<tr>
<td>Contract Case</td>
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<td>0</td>
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</tr>
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</table>

### 1. Begin Pending
- **a. Active**
- **b. Inactive**

### 2. New Filings
- 11
- 1

### 3. Reopened
- 0

### 4. Reactivated
- 0

### 5. Dispositions (Entry of Judgment)
- **a. Original**
- **b. Reopened**

### 6. Placed on Inactive Status
- 9

### 7. End Pending
- **a. Active**
- **b. Inactive**

### 8. Set for Review

### Additional Civil Caseload Statistics (Dictionary, p. 28-29)

<table>
<thead>
<tr>
<th>Type of Action</th>
<th>Civil Writs (Related to an Existing Case)</th>
<th>Remitted/Replaced Civil Cases</th>
<th>Jury Trials</th>
<th>Non-Jury (Recessed) Trials</th>
<th>Satisfaction of Judgment</th>
<th>Inmate Request/Filing</th>
<th>Contempt and Preliminary Injunctions</th>
<th>Orders to Seal Records</th>
<th>Sexual Assault Protection Orders</th>
<th>Request for Extended DV Protection Orders</th>
<th>Limited Jurisdiction Courts Only</th>
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<tbody>
<tr>
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<td>14</td>
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<td>28</td>
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Report generated on: 4/11/2023
### Civil Statistics Reporting Disposition Worksheet

**Nevada Trial Courts**

**Court:** DAYTON JUSTICE COURT  
**Date:** 3/1/2023 to 3/31/2023  
**Court ID:** J031102  
**Prepared by:**  
**Approved by:**

#### Justice/Municipal Court Case Types - Civil (Dictionary, p.25-27)

<table>
<thead>
<tr>
<th>Civil Manner of Disposition</th>
<th>Real Property Case</th>
<th>Tort Case</th>
<th>Contract Case</th>
<th>Protection Orders</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Landlord/Tenant Case</td>
<td>Negligence Case</td>
<td>Seller Plaintiff (Debt Collection) Case</td>
<td>Other Manner of Disposition</td>
</tr>
<tr>
<td></td>
<td>Summary Eviction</td>
<td>Auto Negligence Case</td>
<td>Credit Card Case</td>
<td>Request for DV Protection Order</td>
</tr>
<tr>
<td></td>
<td>Criminal Trespass of Residential Property</td>
<td>Premises Liability Case</td>
<td>Collection Case</td>
<td>Request for Protection Order (Non-DV)</td>
</tr>
<tr>
<td></td>
<td>Other Real Property Case</td>
<td>Other Negligence Case</td>
<td>Payday Loan Collection Case</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Auto Accident Case</td>
<td>Intentional Misconduct Case</td>
<td>Debt Collection Agency Case</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Other Tort Case</td>
<td>Other Tort Case</td>
<td>Other Debt Collection Case</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Negligence Case</td>
<td>Other Negligence Case</td>
<td>Current Restraint Plaintiff Case</td>
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<td>0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0</td>
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<td>Non-Trial Dispositions</td>
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<td>0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0</td>
<td>0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0</td>
<td>0 0</td>
</tr>
</tbody>
</table>

**Voluntary Dismissal**  
**Involuntary Dismissal**  
**Transferred (before trial)**  
**Judgment on Arbitration**  
**Stipulated Dismissal**  
**Stipulated Judgment**  
**Default Judgment**  
**Motion to Dismiss by the Defendant(s)**  
**Summary Judgment**  
**Total Non-Trial Dispositions**

| 9 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

**Non-Jury (bench) Trial Dispositions**  
**Disposed After Trial Start (bench trial)**  
**Judgment Reached (bench trial)**  
**Total Bench (Non-Jury) Trial Dispositions**

| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

**Jury Trial Dispositions**  
**Disposed After Trial Start (jury trial)**  
**Verdict Reached**  
**Total Jury Trial Dispositions**

| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

**Protection Orders Dispositions**  
**Denied without Hearing**  
**Granted without Hearing**  
**Denied with Hearing**  
**Granted with Hearing**  
**Total Protection Order Dispositions**

| 1 | 3 | 6 | 5 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

**Grand Total Dispositions**

| 9 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

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Nevada AOC - Research and Statistics Unit  
Report generated on: 4/11/2023  
Form RS-501 Rev 3.3
# Civil High Risk Orders Report

Court: DAYTON JUSTICE COURT  Court ID: J031102  
For Dates Between: 3/1/2023 And 3/31/2023

<table>
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<th>Caseload Worksheet</th>
<th>Disposition Worksheet</th>
<th>Statistics Worksheet</th>
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<td>Other Manner of Disposition: 0</td>
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<tr>
<td>Reopened: 0</td>
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<td>Extended High Risk P/O Denied: 0</td>
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<td>Extended High Risk P/O Other: 0</td>
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<td>High Risk P/O Family: 0</td>
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<td>Denied With Hearing: 0</td>
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<td>Granted With Hearing: 0</td>
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</table>
Meeting Date: May 4, 2023
Agenda Item Number: 9.b
Subject: For Report Only: Canal Township Justice Court

Recommendation:

Summary:

Financial Department Comments:

District Attorney Comments:

County Manager Comments:

Attachments:
March 2023 FJC Statistics
To: Lyon County Commissioners  
    Andrew Haskin, Interim County Manager  
From: Lori Matheus, Justice of the Peace  
Date: April 12, 2023  
Subject: March 2023 Statistics for Canal Township Justice Court  


If you have any questions, please feel free to contact me.
<table>
<thead>
<tr>
<th>Account Description</th>
<th>Prior Collections</th>
<th>Collections This Period</th>
<th>Year To Date Collections</th>
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Totals: 121,659.22 15,366.10 137,025.32

State of NEVADA LYON County, SS:

I SWEAR THAT THE ABOVE IS A TRUE AND CORRECT STATEMENT OF ALL COSTS AND FEES BELONGING TO THE ABOVE NAMED COUNTY COLLECTED BY ME FOR THE PERIOD SHOWN.

CLERK OF THE FERNLEY JUSTICE COURT - CANAL TOWNSHIP COURT

Date: 03/31/2023 09:55
Page: 1
Approved by State Board of Accounts for LYON County - 2023
To Auditor of LYON County, NEVADA
Collecting for Period: 02/28/2023 thru 03/31/2023
### Clerk's Report to Auditor of Costs and Fees Collected

Approved by State Board of Accounts for LYON County - 2023

To Auditor of LYON County, NEVADA
Collecting for Period: 02/28/2023 thru 03/31/2023

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<th>Account</th>
<th>Prior Collections</th>
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<th>Year To Date Collections</th>
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State of NEVADA LYON County, SS:

I SWEAR THAT THE ABOVE IS A TRUE AND CORRECT STATEMENT OF ALL COSTS AND FEES BELONGING TO THE ABOVE NAMED COUNTY COLLECTED BY ME FOR THE PERIOD SHOWN.

[Signature]

CLERK OF THE FERNLEY JUSTICE COURT - CANAL TOWNSHIP COURT
MPC Collections Report: 3/1/2023 TO 3/31/2023
J031101 - FERNLEY JUSTICE COURT - CANAL TOWNSHIP

Number of cases in which court costs, fees, and fines were assessed during the reporting period: 47

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<tr>
<th>Court Fines and Fees</th>
<th>Dollar Amount</th>
<th>Percent of Assessed</th>
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<tr>
<td>Dollar amount assessed:</td>
<td>$12,390.00</td>
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<tr>
<td>Dollar amount collected:</td>
<td>$7,705.00</td>
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<td>Dollar amount waived/suspended:</td>
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<td>Dollar amount of jail time served credit given:</td>
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<td>Dollar amount of community service credit given:</td>
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<td>Total of collections, waived and credited amounts:</td>
<td>$12,384.00</td>
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<tr>
<th>Dollars Collected</th>
<th>Percentage Collected</th>
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<td>0-30 Days:</td>
<td>$6,710.00 87.09%</td>
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<tr>
<td>31-60 Days:</td>
<td>$370.00    4.80%</td>
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<tr>
<td>61-90 Days:</td>
<td>$0.00       0.00%</td>
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<tr>
<td>91-120 Days:</td>
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<tr>
<td>Over 120 Days:</td>
<td>$525.00     6.81%</td>
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<tr>
<td><strong>Total:</strong></td>
<td><strong>$7,705.00</strong> 100.00%</td>
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Note: Aging calculated from date cost docket assessed to date of receipt/payment in this reporting period.

Data Date: 3/31/2023, 10:05:04AM
Report name: MAS Monthly Collection and Aging.rpt
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Note: The amounts above exclude restitution and bail holding. The percentage is calculated by amount outstanding divided by the grand total of amount outstanding.
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37
# CANAL TOWNSHIP JUSTICE COURT
## STATISTICS FY 22/23

### CASE TYPE - FELONY

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Lyon County Board of County Commissioners Agenda Summary

Meeting Date: May 4, 2023
Agenda Item Number: 12.a
Subject: For Possible Action: Approve the minutes from the Board of County Commissioners meeting held on April 20, 2023

Recommendation:
Approve the minutes from the Board of County Commissioners meeting held on April 20, 2023

Summary:

Financial Department Comments:

District Attorney Comments:

County Manager Comments:

Attachments:
The Honorable Board of Lyon County Commissioners met this day, Thursday, April 20, 2023 at 9:00 a.m. in the LYON COUNTY ADMINISTRATIVE COMPLEX, 27 S. MAIN STREET, YERINGTON, NV 89447.

1. Roll Call


Via Zoom: None

Absent: None

Staff Present: County Manager Andrew Haskin, District Attorney Steve Rye, and Comptroller Josh Foli.

2. Invocation given by Mitch Forster of the Mason Valley Southern Baptist

Mitch Forster gave the invocation.

3. Pledge of Allegiance

4. Public Participation

There was no response to the call for public comment.

5. For Possible Action: Review and adoption of agenda

Comm. Henderson moved to adopt the agenda, moving item 7.a. in front of time certain, and moving item 6.b. in front of 6.a.

There was no response to the call for public comment.

Comm. Hendrix seconded, and the motion passed 5-0.

6. Time Certain


General Manager Bert Bryan with Walker River Irrigation District gave a report on current and forecasted Walker River conditions, and advised there will be another update given at the Town Hall Meeting on April 25, 2023 at 5:30 p.m.

There was no response to the call for public comment.
6.b. Time Certain at 9:15 AM: For Possible Action: Approve plans for employee health, dental, vision, and life insurance coverage effective July 1, 2023, and authorize the Comptroller to sign associated contracts.

This item was presented before item 6.a.

Comptroller Josh Foli gave recommendation from the insurance committee to move forward with Cigna and explained the changes made to plans. Mr. Foli stated the figures also include the previous recommendation to increase dependent coverage from 30% to 50%, and that dental, vision, and life plans have no change in coverage or carriers.

There was no response to the call for public comment.

Comm. Henderson expressed interest in what the change in dependent coverage will cost the county. Mr. Foli stated dependent coverage currently costs $341,000 countywide at existing usage, but acknowledged that increasing the benefit may increase utilization.

Comm. Henderson moved to approve plans for employee health, dental, vision, and life insurance coverage effective July 1, 2023, and authorize the Comptroller to sign associated contracts.

Comm. Keller seconded, and the motion passed 5-0.

6.c. Time Certain at 9:30 A.M: For Possible Action: Determine whether to uphold or reject the Rolling 'A' Wastewater Treatment Facility - Phase 4 Expansion Project Bid Protest submitted by Farr Construction Corporation dba Resource Development Company. (David Bruketta and Philip Mannelly with McDonald Carano representing Resource Development Company)

David Bruketta presented details referenced in the summary (as attached to the agenda) of series of events relating to the Rolling 'A' Wastewater Treatment Facility - Phase 4 Expansion Project Bid Protest submitted by Farr Construction Corporation dba Resource Development Company.

Philip Mannelly (legal counsel with McDonald Carano, representing Resource Development Company), gave a presentation outlining his legal opinion, and requested the bid protest be upheld.

Comm. Hockaday asked for public participation.

Walt Johnson, President of KG Walters Construction, argued against awarding of the bid to Farr Construction and requested that the bid be awarded to KG Walters or that all bids are rejected.

Comm. Keller motioned to uphold the bid protest as presented.

Comm. Hendrix seconded, and the motion passed 5-0.
6.d. Time Certain at 9:30 A.M: For Possible Action: Award a contract to Farr Construction Corporation, dba Resource Development Company or K.G. Walters Construction Company for constructing the Rolling 'A' Wastewater Treatment Facility - Phase 4 Expansion Project. (David Bruketta)

David Bruketta recommended to award contract to RDC.

Comm. Henderson asked if a force account is a contingency account, which David Bruketta confirmed.

Commissioners expressed concerns that the penalty for delays appears low at $1,200.00 per day. Utilities Engineer Kishora Panda agreed the amount is low but standard for punitive damages, and that the project timeline has been extended from 34 to 38 months to allow a buffer.

Comm. Hockaday asked for public participation.

Russ Wright from Dayton stated he wants assurances of material supply due to critical supply shortages elsewhere in other projects and that there should be a clause to purchase necessary materials early in the project.

Dave Backman with KG Walters expressed his opinion that experience speaks for itself, and gave a brief summary of relevant experience.

Comm. Henderson asked Dave Backman why a bid protest was not filed, on the 2nd bid within the 5 days. Mr. Backman responded that in hindsight, they made a mistake.

Philip Mannelly gave his legal opinion that the previous comments should be excluded from consideration.

Comm. Henderson requested a motion, but no motion was made.

Comm. Hockaday made a motion to Award a contract to Farr Construction Corporation, dba Resource Development Company for constructing the Rolling 'A' Wastewater Treatment Facility - Phase 4 Expansion Project.


Comm. Keller asked what the consequences are if the motion fails.

David Bruketta responded that in the bid documents, the contract must be awarded w/in 60 days.

District Attorney Steve Rye reminded the Board that Section 338 outlines the requirements of a low-bid process, that not awarding a contract would affect funding among other things, and asked that they consider that.
Comm. Henderson clarified that the contract should be awarded to the lowest responsible and responsive bidder, which Steve Rye confirmed was the reading by the District Attorney’s Office, and the recommendation from DOWL and the Utilities Department.

Comm. Jacobson asked for alternatives on how the Board can proceed. Steve Rye stated the Board could rescind the motion and action, take no further action, or against recommendation of Staff and DOWL award the contract to KG Walters.

Comm. Hendrix moved to reconsider, and Comm. Keller seconded. The motion passed 5-0.

Comm. Hockaday asked for additional comment.

Comm. Henderson asked for clarification of the 60 days.

David Bruketta advised that the 60 days started with the February 28, 2023 bids, and that this is the last meeting to meet the 60-day requirement.

Comm. Hockaday reread the motion for reconsideration, and Comm. Jacobson seconded. There was no response to the call for public comment.

Walt Johnson restated that the 3rd option is to reject all bids, and gave his opinion that the Board is being backed into a corner.

Philip Mannelly restated his legal opinion that the bid be awarded to the lowest responsible and responsive bidder.

David Bruketta clarified that the $1,200.00 per day delay penalty is a typical engineering standard recommendation and is not abnormal.

Dave Backman stated that KG Walters brought to the County’s attention the complexity of the job and stated the job timeframe was restructured based on KG Walter’s information.

There was no response to the call for public comment.

Comm. Henderson voted nay, and the motion passed 4-1.

10:28 a.m. The Board recessed.
10:37 a.m. The Board reconvened with all members present.

7. Presentation of awards and/or recognition of accomplishments

7.a. For Presentation Only: Award Deputy Brian Kharrl with the Lyon County Sheriff’s Office Meritorious Service Award.

This item was presented before Time Certain Items.
After describing the event, which occurred at the Pilot gas station in Fernley on August 4th, 2022, Sheriff Brad Pope awarded the Lyon County Sheriff’s Meritorious Service Award to Deputy Brian Kharrl for his actions.

8. Commissioners/County Manager reports

Comm. Hendrix attended the Comstock Historical District Meeting and the Carson Water Sub-conservancy District Meeting.

Comm. Henderson stated he has been busy with Legislative meetings and gave a brief update on some bills having died after the first deadline. He also attended the Carson Area Metropolitan Planning Organization Meeting and the Silver City Advisory Board Meeting.

Comm. Keller attended NACo board meetings, NACo Legislative Committee, and the Senate Rural Caucus.

Comm. Jacobson attended the Fernley City Council Meeting. He co-hosted a career fair at Fernley High School and thanked Human Services, the D.A.’s Office, Sheriff Pope, and over 50 vendors/trades/colleges/businesses.

Comm. Hockaday has received phone calls about Pete Henrichs Road. He reported that while working at the range, he heard an explosion when a trailer tire hit a hole that was approximately 12 inches deep. He gave his opinion that something definitely needs to be done about the road.

County Manager Andrew Haskin has been tracking Legislature, is still updating his list after last week’s deadline, and will be receiving an update at the Legislative Coalition Meeting. Comptroller Josh Foli asked Mr. Haskin to advise the Board that the chutes for the Fairgrounds are coming in this weekend, which will be about $100,000, which was approved from ARPA funds last year. He also stated work is being done on finalizing the conceptual design for the Fernley Justice Court redesign, and will discuss the Pete Henrichs Road situation with Dustin Homan. Andrew Haskin mentioned the Town Hall Meeting on April 25, 2023 at 5:30 p.m. at Yerington City Hall where information will be given regarding potential flooding impacts, river conditions, and preparation information.

Comm. Hockaday questioned what the County is doing regarding spending contingency money based on the possibility that the Feds may reclaim undesignated ARPA funds. Andrew Haskin confirmed that is a possibility, which is being tracked, and that there is an agenda item today to designate some contingency funds.

Comm. Henderson mentioned Amendment 81 introduced by Rick Scott, and advised that the National Association of Counties and the Public Lands Steering Committee sent out an action alert asking everyone to contact their senators to oppose Senator Rick Scott’s Amendment 81.

9. Elected Official’s reports
Sheriff Brad Pope reported the missing woman from Stagecoach was found in a ravine alive, suffering from extreme hypothermia, and is expected to recover. Sheriff Pope gave kudos to search and recovery, and investigators. He reported an agreement has been made with the school district regarding zero tolerance to crimes, and several students have been arrested for crimes committed. Mr. Pope also stated the importance of making a show of support for graduates of WNRYC (Western Nevada Regional Youth Center) for completing the program.

Comm. Keller reported the Commissioners are unable to attend because the graduations fall on the same day as meetings.

Comm. Jacobson commended the officers that attended the career fair.

Comm. Hockaday appreciated the public emails and phone call communications regarding missing persons.

10. Appointed Official’s reports

There was no response to the call for Appointed Official’s reports.

11. Advisory Board reports

There was no response to the call for Advisory Board reports.

CONSENT AGENDA


There was no response to the call for public comment.

On motion by Comm. Keller, seconded by Comm. Henderson, which motion duly carried on a 5-0 vote, it was ordered that Consent Agenda Items 12.a. – 15.d, (with items 13.b., 13.c., 13.d., 13.g., and 13.h. pulled for discussion) be approved. Any and all Resolutions pertinent to Consent Agenda Items 12.a. – 15.d, are attached hereto and made a part of the minutes thereof.

12. For Possible Action: Approve County Commission Minutes

12.a. For Possible Action: Approve the April 6, 2023 Minutes

12.b. For Possible Action: Approve the April 10, 2023 Minutes.

13. Contracts

13.a. For Possible Action: Approve agreement with Circle P Rodeo Company and Nathan Pudsey, Lyon County and The Boys and Girls Club of Mason Valley for the bull riding at the Night in the Country.
13.e. For Possible Action: Approve a contract with the low qualified bidder, Desert Engineering, Inc., in the amount of $179,042.00 for the Lyon County Fairgrounds Drainage and Pavement Project and authorize additional $25,000 in American Rescue Plan Act funding to complete this project.

13.f. For Possible Action: Approve a Memorandum of Understanding between the Lyon County School District and the Lyon County Sheriff's Office for the County to provide three School Resource Officers and the School District to provide up to $360,000 in funding for the 2023-24 school year.

14. Grants
14.a. For Possible Action: For Possible Action: Accept grant award amendment from State of Nevada Department of Health and Human Services, Division of Public and Behavioral Health, for Forensic Assessment Services Triage Team (FASTT) program, which moves $16,000 from contracts to personnel.

15. Other Consent Items
15.a. For Possible Action: Approve critical labor shortage designation for the Juvenile Probation Community 4 Service Worker position.

15.b. For Possible Action: Approve accepting community charity donations for the Sheriff's Office, which would include the "Shop with a Sheriff" program.

15.c. For Possible Action: Review and accept claims and financial reports.
- Cash Report 3-31-23
- Claims Report 3-16-23 to 3-31-23
-Lyon County Quarterly Financials 3-31-23

The cash balance as of March 15, 2023, was $116,588,389.57. County claims totaled $2,435,849.97 and payroll totaled $1,107,006.88.

15.d. For Possible Action: Review and accept travel claims.
- Travel Report 3-16-23 to 3-31-23

Travel Claims for March 15 totaled $6,721.41.

13.b. For Possible Action: Approve a Settlement Agreement between the State of Nevada and participating entities and CVS, dated March 2, 2023, and the Subdivision Participation Form related to the Opioid Litigation and authorize the Chair to sign the necessary documents to implement the settlement for Lyon County, Nevada.

Comm. Jacobson asked District Attorney Steve Rye how much say the County has in the spending of the funds from the settlement.
Steve Rye gave a brief history of the NV1 agreement. He stated Shayla Holmes, Director of Lyon County Human Services, created a program regarding a plan for the funds. He also clarified that the use of funds is limited to the scope of what is presented in the agreement.

Ms. Holmes explained that the agreement provided a specific document, which identified uses. As part of a requirement to access State Funds through grant writing, an opioid misuse plan was also created.

Comm. Jacobson questioned wording in the agreement regarding how much the total attorney fees are.

Richard Hy, outside council to Lyon County for the Nevada opioids Litigation, clarified that in the CVS settlement, the attorney’s fees and costs will be paid by outside council and will not be deducted from the $151 million with the exception of the common benefit fund. However, Mr. Hy also stated that in the Allergan settlement (which is part of a separate agenda item), no costs will be deducted from that sum because an agreement was not reached with outside council, but did not have specific figures on hand for the total attorneys’ fees and costs.

There was no response to the call for public comment.

Comm. Jacobson made a motion to approve a Settlement Agreement between the State of Nevada and participating entities and CVS, dated March 2, 2023, and the Subdivision Participation Form related to the Opioid Litigation and authorize the Chair to sign the necessary documents to implement the settlement for Lyon County, Nevada.

Comm. Keller seconded, and the motion passed 5-0.

**13.c. For Possible Action: Approve a Settlement Agreement dated February 16, 2023, with Allergan Finance, LLC, Allergan Limited, Allergan USA, Inc., and Allergan, Inc. ("Allergan") and Subdivision Participation Form related to the Opioid Litigation and authorize the Chair to sign the necessary documents to implement the settlement for Lyon County, Nevada.**

Comm. Henderson asked for clarification as to how much the County is actually getting, and Richard Hy clarified the information presented on the allocation chart.

There was no response to the call for public comment.

Comm. Henderson motioned to approve a Settlement Agreement dated February 16, 2023, with Allergan Finance, LLC, Allergan Limited, Allergan USA, Inc., and Allergan, Inc. ("Allergan") and Subdivision Participation Form related to the Opioid Litigation and authorize the Chair to sign the necessary documents to implement the settlement for Lyon County, Nevada.

Comm. Jacobson seconded, and the motion passed 5-0.
13.d. For Possible Action: Approve a two year contract with Mobile APP to provide information from the Sheriff's Office and Emergency Management to the public and reverse 911 services in the amount of $19,578.50 the first year and $7,995 the second year and authorize a budget transfer from the General Fund contingency for the first year's funding.

Comm. Henderson questioned whether this app will be used by just the Sheriff’s Office or if other County departments will use it also.

County Manager Andrew Haskin reported that the current system, Code Red, is available to Emergency Management and Utilities in the case of emergency and this app will be used similarly.

Comm. Henderson questioned why this is not contracted with the county instead of the Sheriff’s Department.

Sheriff Brad Pope explained that a unique feature of this app was to include other departments; for example, Emergency/Communications Manager Taylor Allison will be an administrator and has function in app.

Comm. Henderson asked if this is funded through the 911 surcharge, and Sheriff Pope explained that $11,000 is what Emergency Management pays toward Code Red (which has been failing recently, and will expire soon), but that he’s not sure how the $11,000 is funded.

Comm. Jacobson wanted to clarify that this contract will actually save the county $3,000 per year, which Sheriff Pope confirmed. Sheriff Pope also explained that an Amber Alert is different, but Amber Alerts, Silver Alerts, and others can be put out through the app when a Code Red is not appropriate. Based on feedback from County Residents, the people want access to the alerts without relying on social media. Sheriff Pope also reported that the app does not have cellular device or location tracking capabilities.

Emergency/Communications Manager Taylor Allison provided information relating to interoperability of Code Red and the fact that it is landline based and requires opting-in.

There was no response to the call for public comment.

Comm. Henderson motioned to approve a two year contract with Mobile APP to provide information from the Sheriff's Office and Emergency Management to the public and reverse 911 services in the amount of $19,578.50 the first year and $7,995 the second year and authorize a budget transfer from the General Fund contingency for the first year's funding, and to authorize the sheriff to sign necessary documents.

Sheriff Pope also noted that payment for services will be made after July 1, 2023 so that it does not affect the current budget cycle.

Comm. Jacobson seconded, and the motion passed 5-0.
13.g. For Possible Action: Approve a contract with McGinley & Associates for an amount not to exceed $49,525 to conduct baseline surveys on a proposed Right-of-Way for a future water line located on BLM land between Dayton and Stagecoach to be funded from a budget transfer from General Fund contingency. (David Bruketta)

Comm. Henderson questioned whether the repayment of funds would go back into the General Fund.

Utilities Director David Bruketta provided a brief history of the plan to move a water line, and explained that this contract is the first step to get required surveys completed.

There was no response to the call for public comment.

Steve Hartman with Vidler Water Company commented that the required field surveys need to be done while meeting the seasons for the animal and plant subjects.

Comm. Henderson motioned to approve a contract with McGinley & Associates for an amount not to exceed $49,525 to conduct baseline surveys on a proposed Right-of-Way for a future water line located on BLM land between Dayton and Stagecoach to be funded from a budget transfer from General Fund contingency with the understanding that the money will be reimbursed into contingency.

Comm. Jacobson seconded, and the motion passed 5-0.

13.h. For Possible Action: Approve a Cost Reimbursement Agreement with the Bureau of Land Management, Sierra Front Field Office, for an amount not to exceed $27,000 for reimbursement costs incurred to process a right-of-way application for a water main between Dayton to Stagecoach to be funded from a General Fund contingency budget transfer. (David Bruketta)

There was no response to the call for public comment.

Steve Hartman recommends approving this ASAP.

Comm. Jacobson motioned to approve a Cost Reimbursement Agreement with the Bureau of Land Management, Sierra Front Field Office, for an amount not to exceed $27,000 for reimbursement costs incurred to process a right-of-way application for a water main between Dayton to Stagecoach to be funded from a General Fund contingency budget transfer.

Comm. Henderson seconded, and the motion passed 5-0.

11:37 p.m. The Board recessed.
12:30 p.m. The Board reconvened with all members present.

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

16. Advisory Board
16.a. For Possible Action: For Possible Action: Approve to change the meeting day and time of the Smith Valley Advisory Board to the first Wednesday of the month at 6:00 p.m., or to ask the Smith Valley Advisory Board to revisit the item and request a different day and/or time..

County Manager Andrew Haskin asked the Board to consider the fact that if he needs to present an item to all 3 County Advisory Boards, there would be 3 meetings to attend, and it would take three months to get an item approved, but also mentioned that that situation wouldn’t occur very often.

Comm. Jacobson commented that it is important to consider what works for the Smith Valley Advisory Board. He also asked if Smith Valley has Zoom, to which Comm. Hockaday responded that they are close to having Zoom capability.

Comm. Jacobson suggested that to support the City Manager, the Board of Commissioners should make it known that they support county staff attending Advisory Board meetings by Zoom.

Comm. Keller gave his opinion that the Advisory Boards can do what works best for them, but that he would not be able to attend, and that changing the time to 6:00 p.m. may cut into other fieldwork.

Comm. Henderson gave his opinion that the Board of Commissioners needs to support the Advisory Boards and should try it, because it can be revisited later if it needs to be changed. He also would like to see all of the Boards have Zoom capabilities.

There was no response to the call for public comment.

Comm. Jacobson made a motion to approve to change the meeting day and time of the Smith Valley Advisory Board to the first Wednesday of the month at 6:00 p.m.

Comm. Henderson seconded, and the motion passed 5-0.

16.b. For Possible Action: Appoint a member to the Smith Valley Advisory Board, with a term expiring December 31, 2024.

County Manager Andrew Haskin pointed out late backup available (an application from Michael Weiss).

 Commissioners paused to read the late backup.
Comm. Jacobson questioned if the Smith Valley CAB gave a suggestion or guidance for who to recommend, to which Comm. Hockaday said there was no recommendation.

There was no response to the call for public comment.

Comm. Hockaday made a motion to appoint Wendy Loomis to the Smith Valley Advisory Board, with a term expiring December 31, 2024.

Comm. Henderson seconded, and the motion passed 5-0.

17. County Manager

   17.a. For Possible Action: Approve to cancel or reschedule the July 20th Board of Commissioners meeting due to the National Association of Counties Annual Conference, July 21st - 24th.

County Manager Andrew Haskin stated that three commissioners are attending the conference, so he recommends cancelling the meeting as opposed to rescheduling.

Jacobson asked if the motion could be left open-ended.

Mr. Haskin advised that the meeting could just be scheduled as a special meeting, but deferred to the Board’s judgement.

Comm. Henderson and Hockaday gave their opinions that the meeting be cancelled to avoid ambiguity.

There was no response to the call for public comment.

Comm. Jacobson made a motion to approve to cancel the July 20th Board of Commissioners meeting due to the National Association of Counties Annual Conference, July 21st - 24th.

Comm. Hendrix seconded, and the motion passed 5-0.

   17.b. For Possible Action: Approve a resolution in support of the Historic Routes Preservation Act. (Requested by Comm. Hockaday)

Andrew Haskin gave a historical background for the right of ways.

Comm. Hockaday read the resolution into record.

Comm. Henderson stated that similar bills never pass Congress for political reasons but that some Senators are willing to introduce the bill and are working to make it bipartisan. He explained that part of this Resolution is to show support for Senators’ proactive Legislative actions to make it easier to title roads.
Commissioners and County Manager discussed what this Resolution allows or requires.

There was no response to the call for public comment.

Comm. Henderson made a motion to approve a resolution in support of the Historic Routes Preservation Act.

Comm. Jacobson seconded. and the motion passed 5-0.

17.c. For Possible Action: Approve a Memorandum of Agreement between Lyon County and Robert K. Weidner for representation regarding the Historic Routes Preservation Act, from March 1, 2023 to December 31, 2023, in the amount of $7,500.00 to be transferred from Contingency. (Requested by Comm. Henderson)

Comm. Henderson explained Robert Weidener has a lot of public lands litigation experience, is a subject matter expert, will continue working on the issue to the benefit of the County whether or not the County pays anything. He also gave his opinion that the $7,500.00 is an equitable per city contribution.

Comm. Keller asked if the Federal Lobbyists are handling this. Andrew Haskin responded that direction has not been provided to lobbyists regarding this.

Comm. Keller also gave his opinion that he does not support paying for what is being done anyway, and that it can be considered in future budgeting. He supports the effort, but not the cost.

There was no response to the call for public comment.

Comm. Henderson made a motion to approve a Memorandum of Agreement between Lyon County and Robert K. Weidner for representation regarding the Historic Routes Preservation Act, from March 1, 2023 to December 31, 2023, in the amount of $7,500.00 to be transferred from Contingency.

Comm. Hockaday seconded.


18. Other

18.a. For Possible Action: Approve, deny or amend a Resolution of the Lyon County Board of Commissioners terminating a Declaration of Emergency that was declared in Resolution 23-06.

County Manager Andrew Haskin explained this motion to terminate the March resolution is because the State’s Declaration of Emergency only went to the end of March. He also explained that if there were further issues like flooding, the County would have to end the last declaration and make a new one when necessary.
Emergency/Communications Manager Taylor Allison gave further clarification that the Presidential declaration that the Governor’s Office signed had an end date of 03/31/23, so it is cleaner for tracking to have two separate resolutions.

There was no response to the call for public comment.

Comm. Keller made a motion to approve Resolution 23-11 of the Lyon County Board of Commissioners terminating a Declaration of Emergency that was declared in Resolution 23-06.

Comm. Hendrix seconded and the motion passed 5-0.


Andrew Haskin stated this is a required plan that needs to be submitted to the State.

There was no response to the call for public comment.


Comm. Jacobson seconded and the motion passed 5-0.

18.c. For Possible Action: Approve agreements with Walther Law Offices, PLLC to provide indigent defense services in the City of Yerington and City of Fernley municipal courts effective 5/1/2023, and approve a resolution adopting cooperative agreements to pass the costs of all indigent defense services in the municipal courts through to the cities in accordance with state law.

There was no response to the call for public comment.

Comm. Jacobson made a motion to approve the agenda item as presented, which stated: “Approve agreements with Walther Law Offices, PLLC to provide indigent defense services in the City of Yerington and City of Fernley municipal courts effective 5/1/2023, and approve a resolution adopting cooperative agreements to pass the costs of all indigent defense services in the municipal courts through to the cities in accordance with state law.”

The Deputy Clerk requested language specification regarding City of Yerington, City of Fernley, and Walther Law Offices, and Comm. Jacobson agreed with the change.

Comm. Henderson seconded, and the motion passed 5-0.

18.d. For Possible Action: Award the bid for the Lyon County District Court - Courthouse Remodel project to the lowest responsive and responsible bidder, Pellet
County Manager Andrew Haskin stated the architect recommended a 5-10% contingency on change orders.

Comm. Henderson gave his opinion that he does not support anyone signing up to 5% change order on a $9 million project.

Commissioners and Facilities Director Doug Homestead discussed known and potential change orders that may and will occur during the scope of the project. Mr. Homestead stated he would want a minimum $50,000 limit on change orders that the County Manager can sign.

Doug Homestead also clarified Comptroller Josh Foli wrote the agenda item, and supports the motion as written.

Comm. Hendrix asked why the County does not own the drawings, to which Andrew Haskin and Comm. Keller explained this is typical of drawings as copy written work of the architect.

There was no response to the call for public comment.

Comm. Jacobson made a motion to award the bid for the Lyon County District Court - Courthouse Remodel project to the lowest responsive and responsible bidder, Pellet Construction, LLC, in the amount of $9,189,573 and authorize the County Manager to sign change orders cumulatively up to 5% of the awarded amount.


Comm. Henderson voted Nay, and the motion passed 4-1.

19. Agenda Requests

Comm. Henderson requested an update for the Carson River similar to the one received for the Walker River.

Comm. Hockaday directed the County Manager to agendize an item for discussing Planning Commission Appointments and to whether presentations will be allowed. He gave his opinion that he’d like to see in policy that everyone who applies gets the opportunity to speak in front of the Commission. Comm. Hockaday would also like to have a presentation by the Battleborn Youth Challenge Academy.

20. Commissioner Comments

Comm. Hockaday gave notice of a NACo conference 2023 to be help September 26 through September 28 in Elko and gave a reminder of the flooding discussion at Yerington City Hall on April 25, 2023.

Andrew Haskin notified the Commissioners that the County did switch agenda software and that the format of agenda will be slightly different.

21. Closed Session

There was none.

22. Public Participation

There was no response to the call for public comment.

23. Adjourn

Comm. Hockaday adjourned the meeting at 1:27 p.m.

LYON COUNTY BOARD OF COMMISSIONERS

_________________________________________
DAVE HOCKADAY, Chairman

ATTEST

_________________________________________
STACI LINDBERG, Lyon County Clerk/Treasurer
Lyon County Board of County Commissioners Agenda Summary

Meeting Date: May 4, 2023

Agenda Item Number: 12.b

Subject: For Possible Action: Approve the Clerk/Treasurer’s Affidavit to Commissioners that the Clerk/Treasurer’s Office mailed the property tax delinquency notices/tax due notices as required by Nevada law.

Recommendation:

Summary:

Financial Department Comments:

District Attorney Comments:

County Manager Comments:

Attachments:
Memorandum

Date: April 24, 2023

To: Lyon County Commissioners

From: Staci Lindberg
Lyon County Clerk/Treasurer

Subject: Affirmation of 1st year delinquent notices

This affidavit is to affirm that on March 29, 2023 an original notice of delinquency was mailed to 2,221 property owners.

Of the number mailed, 198 letters were returned and 116 letters were found to be undeliverable.

These records will be held in the Clerk/Treasurer’s office until the period of redemption has expired.
Lyon County Board of County Commissioners Agenda Summary

Meeting Date: May 4, 2023
Agenda Item Number: 12.c
Subject: For Possible Action: Review and accept claims and financial reports.

Recommendation:
Approval recommended.

Summary:

Financial Department Comments:

District Attorney Comments:

County Manager Comments:

Attachments:
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**Total Lyon County** | **114,385,509.00** | **Total Custodial Funds** | **15,173,865.38**

(cash balances with a debit balance are overdrawn (negative cash))

**SUMMARY**

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**TOTAL** | **130,154,328.33** | **TOTAL** | **156,154,328.33**
Lyon County Board of County Commissioners Agenda Summary

Meeting Date: May 4, 2023
Agenda Item Number: 12.d
Subject: For Possible Action: Review and accept travel claims.

Recommendation:

Summary:

Financial Department Comments:

District Attorney Comments:

County Manager Comments:

Attachments:
## LYON COUNTY TRAVEL REPORT
### April 1-15, 2023

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</table>

**Total Amount:** 3,661.24
Lyon County Board of County Commissioners Agenda Summary

Meeting Date: May 4, 2023
Agenda Item Number: 13.a

Subject: For Possible Action: Propose an ordinance amending Lyon County Code Title 15, the Lyon County Land Use and Development Code; table 15.320-1; table 15.320-2; table 15.320-3; table 15.320-4; to include in the Title 15 zone tables to identify which zoning districts allow restricted gaming and non-restricted gaming; when an ADR is required, and, when a CUP is or is not required for the restricted or non-restricted gaming; and other matters properly related thereto.

Recommendation:

Summary:

Financial Department Comments:

District Attorney Comments:

County Manager Comments:

Attachments:
- Ordinance; Title 15 Gaming Code Amendment
- Staff Report
SUMMARY: AN ORDINANCE AMENDING LYON COUNTY CODE TITLE 15 – LAND USE AND DEVELOPMENT CODE; CHAPTER 15.320.03 LAND USE TABLES BY DISTRICT; AND OTHER MATTERS PERTAINING THERETO.

TITLE: AN ORDINANCE AMENDING LYON COUNTY CODE TITLE 15, THE LYON COUNTY LAND USE AND DEVELOPMENT CODE; TABLE 15.320-1, TABLE 15.320-2, TABLE 15.320-3; TABLE 15.320-4; TO INCLUDE IN THE TITLE 15 ZONE TABLES TO IDENTIFY WHICH ZONING DISTRICTS ALLOW RESTRICTED GAMING AND NON-RESTRICTED GAMING; WHEN AN ADR IS REQUIRED, AND, WHEN A CUP IS OR IS NOT REQUIRED FOR THE RESTRICTED OR NON-RESTRICTED GAMING; AND OTHER MATTERS PROPERLY RELATED THERETO.

Explanation: Matters underlined and in blue are new or added language; matters struck out and in red are deletions or removed language.

THE BOARD OF COUNTY COMMISSIONERS OF LYON COUNTY, NEVADA DOES HEREBY ORDAIN:

Section 1. The Lyon County Land Use and Development Code, Title 15, Chapter 320 is hereby amended as follows:

CHAPTER 15.320.03, LAND USE TABLES BY DISTRICT

TABLE 15.320-1

TABLE OF ALLOWED USES- RURAL RESIDENTIAL, COMMERCIAL MIXED USE, COMMERCIAL AND AGRICULTURAL/RESOURCE ZONING DISTRICTS

<table>
<thead>
<tr>
<th>Use Type</th>
<th>Rural Residential</th>
<th>Commercial Mixed-Use</th>
<th>Agricultural/Resource</th>
<th>Commercial</th>
<th>Use Specific Regulations (Code Reference)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>RR-20</td>
<td>RR-10</td>
<td>RR-5</td>
<td>RR-1</td>
<td>CMU-R</td>
</tr>
<tr>
<td>Entertainment facilities</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>HMU-R</td>
</tr>
<tr>
<td>Adult entertainment</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>House of prostitution</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Restricted gaming</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Nonrestricted gaming</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Performance hall or movie theater</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Restricted gaming</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
</tbody>
</table>

Title 5, chapter 8
Chapter 336 and title 5, chapters 3 and 8
Chapter 336; title 5, chapter 1 and NRS 463
Subsection 15.335.03 GG; chapter 336 and design review
Title 5, chapter 1 and NRS 463
### TABLE 15.320-2
**TABLE OF ALLOWED USES- SUBURBAN RESIDENTIAL, MIXED USE AND COMMERCIAL ZONING DISTRICTS**

<table>
<thead>
<tr>
<th>Use Category</th>
<th>Use Type</th>
<th>Suburban Residential</th>
<th>Mixed Use/Commercial</th>
<th>Specific Use Regulations (Code Reference)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>SR-2</td>
<td>SR-1</td>
<td>SR-1½</td>
</tr>
<tr>
<td>Nonrestricted gaming</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Performance hall or movie theater</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Restricted gaming</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

Chapter 336; title 5, chapter 1; and NRS 463
Subsection 15.335.03GG; chapter 336 and design review
Title 5, chapter 1 and NRS 463

### TABLE 15.320-3
**TABLE OF ALLOWED USES- HISTORIC ZONING DISTRICTS**

<table>
<thead>
<tr>
<th>Use Category</th>
<th>Use Type</th>
<th>Residen tial</th>
<th>Mixed Use</th>
<th>Non-Residential</th>
<th>Use Specific Regulation (Code Reference)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Entertainment facilities</td>
<td>Adult entertainment</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>House of prostitution</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Nonrestricted gaming</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Performance hall or movie theater</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Restricted gaming</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

Chapter 336; title 5, chapters 3 and 8
Chapter 336; title 5, chapter 1; and NRS 463
Subsection 15.335.03GG and design review
Title 5, chapter 1 and NRS 463

### TABLE 15.320-4
**EMPLOYMENT AND INDUSTRIAL ZONING DISTRICTS**

<table>
<thead>
<tr>
<th>Use Category</th>
<th>Use Type</th>
<th>LI-R</th>
<th>LI-S</th>
<th>HI-R</th>
<th>HI-S</th>
<th>SI</th>
<th>EMU</th>
<th>XX</th>
<th>Specific Use Requirements (Code Reference)</th>
</tr>
</thead>
</table>

05/04/2023
Section 2. If any section of this ordinance or portion thereof is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not invalidate the remaining parts of this ordinance.

Section 3. All ordinances, parts of ordinances, chapters, sections, subsections, clauses, phrases or sentences contained in the Lyon County Code in conflict herewith are hereby repealed.

Section 4. This ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.

Proposed on the _____day of __________, 2023.
Proposed by Commissioner: ___________________________________________

THIS Ordinance has been PASSED, ADOPTED and APPROVED this _____day of __________, 2023 by the following vote of the Board of Commissioners, Lyon County:

Ayes: ____________________________________________________________
Nays: ____________________________________________________________
Absent:___________________________________________________________

Attest:

_________________________                _______________________________
County Clerk                                                       Chair of the Board

This ordinance shall be in force and effect from and after the _____ day of the month of __________of the year_____.
LYON COUNTY BOARD
OF COUNTY COMMISSIONERS

Zoning Text Amendment Amendment to Title 15: Land Use Tables related to Restricted Gaming and Nonrestricted Gaming uses

Meeting Date May 4, 2023
Applicant Lyon County Community Development Department
Representative Community Development Director Louis Cariola
Case Planner Louis Cariola

REQUEST

Request for Lyon County Code Amendments for Title 15, Chapter 320; Tables 15.320-1, 15.320-2, 15.320-3, & 15.320-4 in order to correct previous amendments that switched the intended allowances for “Restricted Gaming” and “Nonrestricted Gaming” in addition to adding an allowance for Nonrestricted Gaming with a Conditional Use Permit in the Employment Mixed Use (EMU) zoning designation.

BACKGROUND

Title 15 is the County’s Development Code. Chapter 320.03 of Title 15 includes the Land Use Tables, which outline the types of uses that are permitted by right, permitted with an Administrative Design Review (ADR), permitted with a Temporary Use Permit (TUP), permitted with a Conditional Use Permit (CUP), and not permitted in the County’s zoning districts. Among the uses are the following two terms: the County’s definition of each term from Chapter 15.1200.05: Part 2 – General Terms and Definitions) is also included (emphasis added).

A. Nonrestricted gaming license is a state license for the operation of:
   1. **16 or more slot machines**;
   2. Any number of slot machines together with any other game, gaming device, race book, sports book at one (1) establishment;
   3. A slot machine route;
   4. An inter-casino linked system; or
   5. A license for or the operation of a mobile gaming system.

B. Restricted gaming license is a state license that limits the gaming operation to not more than **fifteen (15) slot machines** and no other game or gaming device, race book, or sports pool at an establishment in which the operation of slot machines is incidental to the primary use.
STAFF REVIEW AND ANALYSIS

On December 3, 2020, the Board of Commissioners approved a number of Title 15 Code amendments and updates. Included were multiple instances of assigning allowances in the Land Use Tables for Nonrestricted Gaming and Restricted Gaming because the uses had not been properly included during the original adoption of Title 15. Unfortunately, the two uses were confused in their meaning and were applied to the Land Uses in the opposite way as intended.

“Nonrestricted Gaming”, the more intensive use, allowing for 16 or more slot machines, sportsbooks, and larger casino operations, was assigned Permitted (denoted by a “P” in the Tables) for multiple zoning districts while “Restricted Gaming” was set to require a CUP (denoted by a “C” in the Tables). The intended amendments should have required a CUP for the more intensive use.

The zoning districts that included the improperly-applied amendments were of the “commercial” and “mixed-use” types. For instance, Residential Mixed Use, Highway Mixed Use, Neighborhood Commercial and Community Commercial districts. All Character Districts were affected (Rural, Suburban, and Historic).

Mistakenly omitted from the 2020 amendments and updates was the Employment Mixed Use (EMU) zoning district, which is located in Table 320-4 (Employment and Industrial Zoning Districts) where EMU is grouped with dissimilar districts.

The attached draft Ordinance includes the summarized amendments listed below.

Table 320-1

1. Change Restricted Gaming from a Not Permitted - to - Permitted (with an ADR) in the following districts:
   - CMU-R (Commercial Mixed Use – Rural)
   - HMU-R (Highway Mixed Use – Rural)
   - NC (Neighborhood Commercial)

2. Change Restricted Gaming from CUP - to - Permitted (with an ADR) in the following district:
   - TC-R (Tourist Commercial – Rural)

3. Change Nonrestricted Gaming from Permitted (with an ADR) - to - Not Permitted in the following districts:
   - CMU-R
   - HMU-R
   - NC

4. Change Nonrestricted Gaming from Permitted (with an ADR) - to - CUP in the following district:
   - TC-R

Table 320-2
1. Change **Restricted Gaming** from a *Not Permitted* - to *Permitted (with an ADR)* in the following districts:
   - RMU-S (Residential Mixed Use – Suburban)
   - NC

2. Change **Restricted Gaming** from a **CUP** - to *Permitted (with an ADR)* in the following districts:
   - CC
   - RC
   - TC-S (Tourist Commercial – Suburban)
   - CMU-S (Commercial Mixed Use – Suburban)
   - HMU-S (Highway Mixed Use – Suburban)

3. Change **Nonrestricted Gaming** from *Permitted (with an ADR)* - to *Not Permitted* in the following districts:
   - RMU-S
   - NC

4. Change **Nonrestricted Gaming** from *Permitted (with an ADR)* - to *CUP* in the following districts:
   - CC
   - RC
   - TC-S
   - CMU-S
   - HMU-S

**Table 320-3**

1. Change **Restricted Gaming** from a *Not Permitted* - to *Permitted (with an ADR)* in the following district:
   - CMU-H (Commercial Mixed Use – Historic)

2. Change **Restricted Gaming** from a **CUP** - to *Permitted (with an ADR)* in the following district:
   - TC-H (Tourist Commercial – Historic)

3. Change **Nonrestricted Gaming** from *Permitted (with an ADR)* - to *Not Permitted* in the following district:
   - CMH-U

4. Change **Nonrestricted Gaming** from *Permitted (with an ADR)* - to *CUP* in the following district:
   - TC-H
Table 320-4

1. Change **Nonrestricted Gaming** from a *Not Permitted* - to - **CUP** in the following district:
   - EMU (Employment Mixed Use)

   *Note: the Restricted Gaming use was already correctly noted in this Table with as Permitted (with an ADR) for the EMU district.

STAFF RECOMMENDATION

Staff recommends approval of the zoning text amendments as outlined above and in the attached Draft Ordinance.

RECOMMENDED MOTION

If the Board of Commissioners finds, after reviewing the staff report and considering public comment, they want to propose the text amendments, then the Commissioners should consider a motion similar to the following:

Based on the staff analysis contained in the staff report, I propose the Zoning Text Amendments to amend Lyon County Code Title 15 – Land Development Code; TABLE 15.320-1, TABLE 15.320-2, TABLE 15.320-3; TABLE 15.320-4; to include in the Title 15 zone tables to identify which zoning districts allow restricted gaming and non-restricted gaming; when an ADR is required, and, when a CUP is or is not required for the restricted or non-restricted gaming; and other matters properly related thereto as described in the attached draft Ordinance.
Lyon County Board of County Commissioners Agenda Summary

Meeting Date: May 4, 2023

Agenda Item Number: 13.b

Subject: For Possible Action: Conditional Use Permit- CONTINUED FROM APRIL 6, 2023-To approve a Conditional Use Permit request from Blackcomb Property Group, LLC to allow a Self-storage/RV Storage facility in the CC (Community Commercial) zoning district on a three-acre parcel generally located to the southwest of the intersection of Dayton Valley Road and Como Road, west of the Carson River and U.S. Highway 50, at 222 Dayton Valley Road in Dayton (APN 006-091-10) PLZ-2022-213.

Recommendation:

Summary:

Financial Department Comments:

District Attorney Comments:

County Manager Comments:

Attachments:

- Staff Report
- Backup
STAFF REPORT AND PLANNING COMMISSION ACTION

PLZ-2022-213

Proposed Action: Conditional Use Permit for a Self-Storage/RV Storage Facility

Meeting Date: May 4, 2023 (Continued from April 6, 2023)

Owner: Dayton Flyer, LLC

Applicant: Blackcomb Property Group, LLC

Location: Dayton

Parcel Number: 006-091-10

Parcel Size: 3 acres

Master Plan: Commercial

Zoning: CC (Community Commercial)

Flood Zone(s): Zone X-Unshaded, Zone X-Shaded, Zone AE Floodway per FIRM 32019C0452F

Case Planner: Bill Roth

REQUEST

The Applicant is requesting a Conditional Use Permit to allow a Self-storage/RV Storage facility in the CC (Community Commercial) zoning district on one three-acre parcel generally located to the southwest of the intersection of Dayton Valley Road and Como Road, west of the Carson River and U.S. Highway 50, at 222 Dayton Valley Road in Dayton (APN 006-091-10) PLZ-2022-213.

PROJECT SUMMARY

The proposed project involves the construction and operation of a Self-Storage/RV Storage facility (“Store More Boat & RV Storage”) consisting of up to 104 boat or Recreational Vehicle (RV) storage spaces. No storage lockers are proposed. The subject property is located at 222 Dayton Valley Road, west of the Carson River and U.S. Highway 50 in Dayton (APN: 006-091-10).

PLANNING COMMISSION

At the March 14, 2023 Planning Commission meeting, the Commission voted 4-0 (Commissioner Kuzmicki Absent) to recommend approval of the proposed project to the Board of Commissioners. There was discussion in regard to the Applicant’s request to modify Condition of Approval #10, which requires the installation of a full perimeter...
solid wall in compliance with the Performance Based Standards for Self-storage/RV storage uses located in the Community Commercial zoning district, as provided in Lyon County Code section 15.335.03 WW. The applicant requested to substitute chain link fencing along a portion of the north perimeter, adjacent to an existing self-storage facility, to ensure there would be no blind spots that might create opportunities for illegal dumping and homeless encampments. The applicant also requested to use chain link along the western perimeter and a portion of the southern perimeter, citing flooding and drainage concerns, but also acknowledging that the chance of flooding for that portion of the site was effectively one event in five hundred years based upon the FEMA FIRM (Flood Insurance Rate Map) and that drainage could be facilitated with openings at the base of any solid walls, if it was indeed necessary. While at least one member of the Planning Commission acknowledged the concern about blind spots along the northern perimeter, discussion between staff and the Planning Commission ultimately led to the conclusion that the Performance Based Standards could not be modified through the Conditional Use Permit approval process. There was mention that the applicant could apply for a zoning variance if they wished to pursue the matter further. The applicant stated that they wished to move forward with the Conditional Use Permit without modification to the Conditions of Approval related to the required masonry wall. Additional discussion resulted in a clarification of the language of Condition 22, more clearly defining the recommended improvements to a public access trail on the project’s western side along the Carson River. There were no public comments.

**RECOMMENDED MOTION**

If the Board determines that they will approve the Conditional Use Permit, then the Board may want to consider a motion similar to the following.

**The Lyon County Board of County Commissioners finds that:**

A. The proposed use at the specified location is consistent with the policies embodied in the adopted master plan and the general purpose and intent of the applicable district regulations;

B. The proposed use is compatible with the character and integrity of adjacent development and neighborhoods and includes improvements or modifications either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as traffic, noise, odors, visual nuisances, or other similar adverse effects to adjacent development and neighborhoods;

C. The proposed use will not generate vehicular traffic which cannot be accommodated by the existing, planned or conditioned roadway infrastructure;

D. The proposed use incorporates roadway improvements, traffic control devices or mechanisms, or access restrictions to control traffic flow or divert traffic as needed to mitigate the development impacts;

E. The proposed use incorporates features to address adverse effects, including visual impacts and noise, of the proposed conditional use on adjacent properties;

F. The proposed conditional use complies with all additional standards imposed on it by the particular provisions of this chapter and all other requirements of this title applicable to the proposed conditional use and uses within the applicable base zoning district, including but not limited to, the adequate public facility policies of this title; and

G. The proposed conditional use will not be materially detrimental to the public health, safety and welfare, and will not result in material damage or prejudice to other properties in the vicinity.

**Based on the aforementioned Findings, I move that the Board of County Commissioners approve the request by Blackcomb Property Group, LLC for a Conditional Use Permit to allow a Self-Storage/RV Storage Facility in the CC (Community Commercial) zoning district on one (1) parcel that is approximately 3 acres in size, accessed by Dayton Valley Road to the southwest of the intersection of Dayton Valley Road and Como Road in Dayton, and located on APN 006-091-10, subject to the following Conditions of Approval (PLZ-2022-213).**
CONDITIONS OF APPROVAL

1. No change in the terms and conditions of the Conditional Use Permit (CUP), as approved, shall be undertaken without first submitting the changes to Lyon County Community Development and having them modified in conformance with Lyon County Code.

2. The Applicant shall comply with all applicable fire, building, zoning and improvement code requirements and obtain any necessary public inspections.

3. All construction documents and separate applications must be submitted to the Central Lyon County Fire Protection District and the Lyon County Building Department for review and approval prior to obtaining a Building Permit.

4. All contractors doing any construction, modifications, or remodels must be licensed in Lyon County and the State of Nevada.

5. The Applicant shall maintain a Lyon County business license for the use while occupying the site.

6. Prior to commencement of the use, the Applicant shall provide to the Lyon County Planning Department evidence of the issuance of an encroachment permit and satisfactory completion of all improvements required by the Lyon County Road Department, or documentation that no new encroachment permit and/or improvement are required.

7. Prior to commencement of the use, the Applicant shall ensure the satisfactory completion of all required access, driveway and parking improvements to County and International Fire Code standards, as required by the Lyon County Planning Department, the Lyon County Road Department, and Central Lyon County Fire Protection District.

   a. The Applicant shall coordinate with Lyon County Road Department and fund the creation of a left turn pocket on Dayton Valley Road to provide vehicular access to the subject property.

   b. The Applicant shall modify the site layout to comply with Central Lyon County Fire Protection District and Lyon County Code travel lane requirements, if deemed necessary and to the satisfaction of the Central Lyon County Fire Protection District and the Lyon County Planning Department.

8. The Applicant shall submit for a fire/life safety plan review to the Lyon County Fire Protection District prior to the issuance of a site improvement permit/building permit for the project.

9. All outdoor lighting shall comply with the outdoor lighting performance standards of Chapter 15.357 of the Lyon County Code, shall include cut-off shields that direct the illumination down and reduce glare to the satisfaction of the Planning Department.

10. The full perimeter of the facility shall be screened by a solid masonry wall, at a minimum height of six feet (6’), to ensure that equipment or materials stored on the site will not be visible from the street or adjacent parcels. The height, placement, construction, and materials associated with the perimeter screening are subject to Planning Department staff review. Layout and construction method shall be included on the building permit site plans.

11. The trees in the landscape buffer along the site’s Dayton Valley Road frontage shall be evergreen trees, to provide year-round screening.

12. The Applicant shall address security, cleaning, and maintenance needs in a timely fashion. An employee shall visit the site in-person at least twice a week to clean and maintain the property.
13. Customer access shall be limited to the hours of six o’clock (6:00) A.M. to ten o’clock (10:00) P.M. with extended hours allowed only at the discretion of the Community Development Director.

14. The project design must adhere to the Floodplain Development Standards of Chapter 800 of Title 15 for any development within Special Flood Hazard Areas.

15. The Applicant shall comply with Lyon County’s 2018 drainage guidelines, as revised to the approval of the County Engineer.

16. Signage denoting that hazardous materials shall not be stored on site shall be placed at the entry gate and throughout the facility.

17. The applicant shall comply with the parking area design, layout, and landscaping requirements set forth in 15.401.04 of the Lyon County Code.

18. Off-street parking areas shall be used solely for automobile and recreational vehicle parking with no sales, storage of inoperable, unlicensed vehicles, repair work, dismantling or servicing work of any kind.

19. All vehicle stacking before the entry gate shall occur on-site, not on Dayton Valley Road. If vehicle stacking is observed to exceed the capacity of the on-site driveway, the Applicant shall be required to address the issue by one or more of the following methods, at the discretion and to the satisfaction of the Community Development Director and the Lyon County Road Department: staggering customer access times; relocating the entry gate and keypad; or other site or entryway modifications.

20. The facility shall be limited to a maximum 104 Recreational Vehicle/Boat spaces.

21. The applicant shall identify all easements and drainage systems that are located on the property. The applicant shall preserve all Baroni Drainage Ditch easements and accesses.

22. The applicant shall install a 15-feet wide trail along the rear of the property, east of the Carson River. A five-foot wide portion of the trail shall be surfaced with gravel, decomposed granite, or a similar material, to the satisfaction of the Planning Department. The Applicant shall show the trail on the plans submitted with the Building Permit application for this project.

23. The Applicant or suitable maintenance entity shall be responsible for maintenance of all roads, walks and drainage facilities within the development, as well as project-related storm water facilities, whether onsite or offsite, to the satisfaction of the Planning Department. Lyon County shall have no financial responsibility for maintenance of these facilities.

24. Water Rights - In addition to compliance with all other standards for granting applications for connections, the Applicant may be required to assign to the LCUD (Lyon County Utilities District) water rights acceptable to LCUD in sufficient quantity to support the project, if so determined by LCUD. Quantity requirements per Lyon County Bill No. 07-06, Ordinance 512, are provided in Title 9.03.05(S) of the Lyon County Code. Water rights must be dedicated to Lyon County and be in good standing, approved for point of diversion, place, and type of use by the Nevada State Division of Water Resources State Engineer. All applications, fees, and change of ownership documents, required by the State Engineer are the responsibility of the applicant.

25. The substantial failure to comply with the conditions imposed on the issuance of this conditional use permit or the operation of the conditional use in a manner that endangers the health, safety or welfare of Lyon County or its residents or the violation of ordinances, regulations or laws in the conditional use may result in the institution of revocation proceedings. **Failure to initiate the conditional use permit within one (1) year from the date of approval or to complete all work within two (2) years from the date of approval will result in the expiration of the conditional use permit approval unless an extension is obtained in accordance with the provisions of 15.13.02 of the Lyon County Code.**
BACKGROUND INFORMATION

Location

The subject property is generally located to the southwest of the intersection of Dayton Valley Road and Como Road in Dayton at 222 Dayton Valley Road, APN 006-091-10 (indicated with a star symbol in the image below). In the westernmost portion (rear) of the property is the Baroni Drainage Ditch (described below) and farther to the west of the property is the Carson River.

Subject Parcel Size

The subject parcel is three acres in size, as shown in the Assessor’s plat map below.
Topography
The site is generally flat, sloping gradually from east to west, and there are no significant slopes or ridges that would limit or restrict the proposed development as shown below. The Carson River floodway and the Baroni Drainage Ditch, as discussed below, restrict development at the westernmost portion (rear) of the property.

Contour Map (the thin brown line depicts a ten-foot contour line):
Baroni Drainage Ditch
The rear of the property includes a portion of the Baroni Drainage Ditch, which is located to the east of the Carson River (see light blue line in flood map image below). The applicant shall preserve all Baroni Drainage Ditch easements and access, as a Condition of Approval of the proposed project.

Trail
As development has occurred along the Carson River, the permits for other projects, including the self-storage use to the north of the proposed project site, Carson River Estates Phases 1 and 2, and Gold Canyon Estates 2, have included a requirement to install and maintain a walking path. The proposed project includes a Condition of Approval to require the same.

Enlarged Image of Flood Map – Baroni Drainage Ditch shown as thin blue line (see arrows):
Site Photos
The images below were provided by the Applicant. Additional photos by the Applicant are attached to this report.

View from Dayton Valley Road near southern property line. View to the west across site.

View from approximate midpoint on southern property line looking north across the project site.

Master Plan and Zoning
As shown in the Master Plan image below, the Master Plan designation for the subject parcel is Commercial. The parcel is located in the Dayton Suburban Character District. Per the Master Plan, “Suburban Districts include those areas that are predominately medium to high density residential development with regional/community commercial, neighborhood, industrial and employment uses.”

**Master Plan**

![Master Plan Image](image-url)

**Zoning**

The parcel under consideration is currently zoned under Title 10 as C-2 (General Commercial District). The adopted Zoning Consistency Matrix shows the comparative Title 15 zoning district as CC (Community Commercial). Self-Storage/RV Storage facilities require approval of a conditional use permit in the CC zoning district, per Lyon County Land Use and Development Code Table 15.320-2. The subject parcel is indicated with a star symbol in the zoning map image below.
Flood Zone Designation

As shown in the two images below, the majority of the proposed parcel is located in Zone X-Unshaded (Area of Minimal Flood Hazard), while the southwestern portion of the parcel is located in Zone X-Shaded (0.2 Percent Annual Chance of Flood Hazard). The westernmost edge of the parcel is located in Zone AE Floodway. No development is proposed in the Zone AE Floodway.
Public Facilities

The Applicant does not propose to install toilets or other facilities that would require sewer service, but the project would include a landscaped berm that would require water for irrigation. The Applicant may be required to assign to the Lyon County Utilities Department (LCUD) water rights acceptable to LCUD in sufficient quantity to support the project, if so determined by LCUD. Quantity requirements per Lyon County Bill No. 07-06, Ordinance 512, are provided in Title 9.03.05(S) of the Lyon County Code. Water rights must be dedicated to Lyon County and be in good standing, approved for point of diversion, place, and type of use by the Nevada State Division of Water Resources State Engineer. All applications, fees, and change of ownership documents, required by the State Engineer are the responsibility of the applicant. This requirement is included as a Condition of Approval.

Per the Lyon County Road Department, a left turn pocket off of Dayton Valley Road will have to be constructed in the existing median. This requirement is included as a Condition of Approval.

STAFF REVIEW AND COMMENTS
The proposed project consists of a Self-Storage/RV Storage facility, which is allowable with the approval of a Conditional Use Permit (CUP) in the subject CC zoning district. Self-Storage/RV Storage facilities must be designed and operated in compliance with Title 15.335.03WW of the Lyon County Code. Those requirements are provided and discussed in the Conditional Use Permit - Findings section of this report.

**Project Description**

The proposed RV and boat storage facility would be an unmanned facility, with no watchman’s quarters. Keypads and mobile application technology would provide customer access to the site and the RV and boat storage. No on-site office, dump station, or garbage facilities are proposed. A cloud-based video monitoring system and clock-in/clock-out keypad data would be the primary way that the Applicant would monitor onsite activity and determine whether cleaning or maintenance work would be necessary. The Applicant has stated that they intend to have a local employee available on an on-call basis to address security, cleaning, and maintenance needs in a timely fashion. They have also stated that an employee would visit the site in-person at least twice a week to clean and maintain the property.

Customer access would be limited to the hours of six o’clock (6:00) A.M. to ten o’clock (10:00) P.M. with extended hours allowed only at the discretion of the Community Development Director, as a Condition of Approval.

**Preliminary Site Plan**

As shown in the Preliminary Site Plan below (and attached to this report), the proposed RV and boat storage would be provided in parking spaces located beneath solar canopies.

Applicant’s Preliminary Site Plan:
Per Title 15.335.03 WW of the Lyon County Code, which provides the performance standards for Self-Storage/RV Storage uses, “The perimeter of the facility shall be screened by a solid masonry wall in the Community Commercial, Neighborhood Commercial, Regional Commercial, Commercial Mixed Use, Highway Corridor Mixed-Use, Employment Mixed Use, and Service Industrial zoning districts.” As the subject property is located in the Community Commercial zoning district, it is subject to this requirement. As a Condition of Approval, the facility shall be screened along the entire perimeter by a solid masonry wall measuring a minimum six feet (6’) in height, to ensure that equipment or materials stored on the site will not be visible from the street or adjacent parcels.

It should be noted that the Applicant’s Preliminary Fencing Plan shows an open-fencing treatment (chain-link) along some portions of the site’s perimeter (see red line in the Applicant’s Preliminary Fencing Plan below and attached to this report). The applicant’s rationale for their requested exceptions to the screening requirement is provided on page seven of the applicant’s narrative, which is attached to this report. It should also be noted that the Dayton Regional Advisory Board provided comment on the project, including the proposed screening, and those comments are attached to this report. As previously stated, open-fencing would be at variance with the requirements of the Lyon County Code, so a Condition of Approval has been included to ensure that a full perimeter solid wall would be installed.

Applicant’s Preliminary Fencing Plan:
Landscaping and Lighting

Per Title 15.335.03WW, Self-storage/RV Storage facilities must provide a minimum ten-foot-wide landscape buffer, including trees, along the entire side of the facility between any street or highway and the required perimeter screening wall. As shown in the Preliminary Landscape Plan below, a ten-foot-wide landscape buffer with trees is proposed along the site’s frontage. The trees in the buffer shall be evergreen trees to provide year-round screening, as a Condition of Approval.

All outdoor lighting shall comply with the outdoor lighting performance standards of Chapter 15.357 of the Lyon County Code, including cut-off shields that direct the illumination down and reduce glare, as a Condition of Approval.

Applicant’s Preliminary Landscape Plan:
Access and Parking

Access to the site would be provided via Dayton Valley Road at the intersection of Como Road. A new left turn pocket is proposed at the intersection to accommodate for larger vehicles, consistent with comments provided by Lyon County Roads staff during the pre-application meeting for the proposed project and included as a Condition of Approval.

The proposed driveway, which includes two entry lanes and one exit lane, will provide over 60 feet on site for incoming vehicles to queue before they reach the entry gate. Each lane would accommodate one long trailer or RV. On-site circulation would consist of two-way travel lanes (see Preliminary Site Access Plan, below). The proposed driveway, parking area, and drive aisles would be paved.

The Central Lyon County Fire Protection District requires a 20-foot travel lane for fire access and two-way travel. The Lyon County Code (15.335.03 WW(9)) identifies that the minimum width of one way aisles is 15 feet while a two way drive aisle is 24 feet. The Preliminary Access and Parking Plan shows two way aisles that are 25 feet in width, in compliance with that requirement. Additionally, the proposed site plan and access plans show a 10-foot-wide “passenger vehicle parking lane” that would be used infrequently by customers that may arrive in passenger vehicles to maintain or winterize their stored boats or RVs.

The Lyon County Code (15.335.03 WW(8)) requires that one parking space be provided for every one hundred (100) storage units with a minimum of three (3) parking spaces required for the office facility. The design of the site does not include storage units or an office facility; as such, there would be no parking requirement. However, to ensure
that customers that might choose to visit the site in passenger vehicles to maintain or winterize their stored boats or RVs will have a place to park, a Condition of Approval to require a minimum of three parking spaces is included in this staff report. The proposed site plan shows that condition would be met.

Applicant’s Preliminary Access and Parking Plan:

**Traffic**

The Applicant’s Submittal Package that is attached to this report provides an estimate of 19 Average Daily Trips to the subject property. A copy of the ITE Trip Generation Estimate printouts from the ITE web-based application is provided in Tab D of the Applicant’s Submittal Package. As previously mentioned, the project was reviewed during a pre-application meeting by Lyon County Roads staff and their comments have been incorporated into the project and Conditions of Approval.

**Required Permits**

Development of the proposed Self-Storage/RV Storage facility will require approval of Building Permits.
Conditional Use Permit

When considering applications for a CUP, the Planning Commission or Board of County Commissioners must evaluate the impact of the conditional use on, and its compatibility with, surrounding properties and neighborhoods to mitigate potential impacts of the use at a particular location and make the following findings from Chapter 15.230.06: FINDINGS. Each Finding is listed with the Applicant’s response and staff’s comments.

FINDINGS

Finding A: The proposed use at the specified location is consistent with the policies embodied in the adopted master plan and the general purpose and intent of the applicable district regulations;

Applicant’s Response

The proposed use at the specified location is consistent with the policies embodied in the adopted master plan and the general purpose and intent of the applicable district regulations;

Policy FS 1.1: Location of New Development New development will occur in areas that are served by, or are adjacent to, areas with existing utility systems to avoid distant and costly extensions.

The proposed project site has existing utilities adjacent to the parcel, avoiding distant and costly extensions of service.

Policy C 7.1: Confer with Community Advisory Councils When developing a program or policy intended to address a community-specific issue, such as those listed in this Master Plan. County staff will confer with the applicable Community Advisory Board before finalizing a decision.

This project will be reviewed by the Dayton Advisory Board as part of the application processing.

Policy LU 1.1: Follow Development Patterns as Established in the Land Use Plan Future development of Lyon County will be consistent with the Land Use Plan. The Land Use Plan will guide future growth and development by defining appropriate land use types, densities, and character in different locations including cities and towns, suburbanizing areas, rural areas, farm and ranch land, hillsides, and public lands. The county’s future urban and suburban growth will develop largely around existing communities.

The proposed development is located within the suburban character management area of Dayton and is located with convenient access within an existing community.

Policy LU 1.3: Commercial and Mixed-Use Development to be Located in Communities Nonresidential development will occur in areas with existing or planned infrastructure, and in locations that are appropriately designated on the Land Use Plan. New suburban and rural residential development will be located near existing and future community centers.

Existing infrastructure is located nearby for direct service to the project site.

Policy LU 5.1: Encourage Resource-Sensitive Growth and Sustainable Design Lyon County will encourage development that incorporates the principles of sustainable design and that reduces energy and resource consumption and impacts on the environment, by:

- Minimizing resource consumption, energy use, and water use;
- Using renewable energy sources and locally produced materials;
• Exploring and encouraging alternatives to toxic pesticides and herbicides; and
• Using programs such as LEED™ (Leadership in Energy Efficiency and Design), United States Department of Energy’s Building America Program, and Energy Star, and other standards for energy efficiency.

The project proposes the inclusion of solar panels on top of Boat and RV storage canopies to help reduce the overall power demand for the project.

Policy NR 5.1: Geothermal, Solar and Wind Lyon County will encourage utilization of available renewable energy resources, such as solar radiation, geothermal heat, and wind.

The project proposes the inclusion of solar panels on top of Boat and RV storage canopies to help reduce the overall power demand for the project.

Policy NR 6.2: No Increase in Risk from Natural Hazards To the extent possible, Lyon County will avoid or mitigate increased risk from natural hazards to persons or property that are caused by development.

The proposed development leaves 0.45+/- acres (15% of the site) that is within the FEMA Zone AE Floodway area undeveloped.

Policy NR 8.2: Dark Skies Lyon County will minimize light pollution while allowing for adequate lighting for safety and security.

Lighting will be appropriately designed and shielded, per County Code requirements.

Policy FS 1.1: Location of New Development New development will occur in areas that are served by, or are adjacent to, areas with existing utility systems to avoid distant and costly extensions.

Existing infrastructure is located nearby for direct service to the project site.

Staff Comment

Storage/RV Storage facilities are allowed in the CC zoning district, subject to the approval of a Conditional Use Permit. Such uses are required to comply with Title 15.335.03WW of the Lyon County Code, which includes standards to ensure that the use will be consistent with Master Plan policies and compatible with surrounding uses. Staff comment regarding the project’s conformance to this code section is provided below (in italics).

15.335.03 WW. Self Storage/RV Storage:

1. No separate individual business operation is allowed to operate within an individual storage space/unit. No space/unit shall be converted into a residential use.

   Staff comment: The proposal is for an individual business and there are no proposed residential uses nor proposed structures that could be converted to a residential use.

2. All self-storage buildings shall be permanent structures built or assembled on-site.

   Staff comment: No self-storage buildings are proposed. The solar canopies over the RV and boat storage spaces shall be permanent structures, to the satisfaction of the building official.
3. The perimeter of the facility shall be screened by a solid masonry wall in the Community Commercial, Neighborhood Commercial, Regional Commercial, Commercial Mixed Use, Highway Corridor Mixed-Use, Employment Mixed Use, and Service Industrial zoning districts.

**Staff comment:** As the project site is located in the Community Commercial zoning district, this requirement is applicable to the proposed project. A Condition of Approval is included to require a solid masonry wall along the subject property’s full perimeter, in conformance with this requirement.

4. A minimum six foot (6’) high perimeter fence is required in light and heavy industrial zoning districts. Portions of the fence, which are adjacent to residential zoning districts or which face arterial streets, residential streets, and state highways must be a solid masonry wall.

**Staff comment:** As the project is not located in the light or heavy industrial zoning districts, this requirement does not apply. Instead, the stricter requirement per subsection 3 of this ordinance shall be required, as previously discussed.

5. A minimum of ten-foot-wide landscape buffer shall be provided along the entire side of the facility between any street or highway and the required wall. The landscaping shall include screening trees as required by chapter 402.

**Staff comment:** The project has been designed in conformance with this requirement. As a Condition of Approval, the trees planted in the landscape buffer shall be evergreen trees.

6. All storage shall be within an enclosed building except for the storage of recreational vehicles.

**Staff comment:** The project has been designed in conformance with this requirement, as no storage other than recreational vehicles, including boats, is proposed.

7. The surface of the area to be used for outdoor storage shall be paved with a non-permeable material such as asphalt or concrete or, in the case of the storage of heavy equipment, covered with a material acceptable to the administrator which will control fugitive dust.

**Staff comment:** The project area has been designed with paved parking in compliance with this requirement.

8. One parking space is required for every one hundred (100) storage units with a minimum of three (3) spaces required for the facility office.

**Staff comment:** The project does not include storage units and complies with this requirement. A staff-recommended Condition of Approval would require three passenger vehicle parking spaces, to ensure customers that visit the site to maintain or winterize their recreational vehicles have a place to park that would not block or hinder on-site vehicle circulation.

9. One-way interior travel lanes must have a minimum width of fifteen feet (15’) in addition to the ten foot (10’) wide parking lane. All two-way interior travel lanes serving storage units must have two (2) 12-foot wide travel lanes and be provided with a ten foot (10’) wide parking/loading lane.

**Staff comment:** The project meets this requirement and includes a Condition of Approval to ensure that drive aisle widths be designed to the satisfaction of Lyon County Central Fire and Lyon County Planning.

10. The height of the storage buildings shall be governed by the maximum height permitted for the zoning district. See chapter 300 of this title, zoning districts and standards for dimensional requirements.

**Staff comment:** The project includes no storage buildings and complies with this requirement.
11. All outdoor lights must be shielded to direct light and glare only onto the facility's premises and may be of sufficient intensity to discourage vandalism and theft. Lighting and glare must be deflected, shaded and focused away from any adjoining residential property.

_Staff comment:_ The project shall meet this requirement, as a Condition of Approval.

12. Minimum and maximum lot sizes.
   a. Community Commercial and Neighborhood Commercial:
      (1) Minimum lot size: One acre.
      (2) Maximum lot size: Three (3) acres.
   b. Regional Commercial, Commercial Mixed Use, Highway Corridor Mixed-Use, Employment Mixed Use, and Service Industrial:
      (1) Minimum lot size: One acre.
      (2) Maximum lot size: Ten (10) acres.
   c. Light Industrial:
      (1) Minimum lot size: One acre.
      (2) Maximum lot size: None.

_Staff comment:_ At a size of three acres, the project site complies with the lot-size range allowable for Self Storage/RV Storage facilities on parcels with a zoning designation of Community Commercial.

13. All self service storage facilities are subject to the buffering and landscaping set forth in chapter 402 of this title.

_Staff comment:_ The proposed project includes a landscaped buffer that meets the requirements of Chapter 402 of the Lyon County Code.

14. A minimum six foot (6') high perimeter fence is required. Portions of the fence, which face arterial or residential streets, must be solid or semisolid and decorative.

_Staff comment:_ The project site is located in the Community Commercial zoning district, so, as previously discussed, it is subject to the stricter requirement of a solid masonry wall along the perimeter, per subsection 3 of this ordinance. A Condition of Approval is included to require a solid masonry wall along the full perimeter of the property.

15. No outside storage, other than the storage of RVs, boats, and other items specifically approved via a Conditional Use Permit, is permitted in the Neighborhood Commercial, Community Commercial, Regional Commercial, Commercial Mixed-Use, Highway Mixed-Use, Service Industrial or Employment Mixed-Use Districts.

_Staff comment:_ No outside storage other than the storage of recreational vehicles is proposed. The proposal includes security monitoring and bi-weekly employee visits to ensure the site will be cleaned and maintained.

16. All outdoor storage areas must be screened through the installation of fencing or vegetative screening. When located adjacent to Residentially zoned or used property or street right-of-ways, additional screening and/or landscape measures may be required by the Director.
Staff comment: As previously discussed, the project site is located in the Community Commercial zoning district, so it is subject to the stricter requirement of a solid masonry wall along the perimeter, per subsection 3 of this ordinance. A Condition of Approval is included to require a solid masonry wall.

17. A single watchman’s quarters is permitted either incorporated into one of the buildings or as a stand-alone structure as an accessory use to the self storage/RV storage facility.

Staff comment: No watchman’s quarter is proposed with this project.

The proposed project as conditioned would comply with the performance standards listed above, which are intended to ensure compatibility with adjacent uses and conformance to the Master Plan and other applicable codes, policies, and district regulations. Furthermore, the proposed project includes a walking trail at rear, which is supportive of Master Plan goals related to outdoor recreation and pedestrian connectivity.

B. The proposed use is compatible with the character and integrity of adjacent development and neighborhoods and includes improvements or modifications either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as traffic, noise, odors, visual nuisances, or other similar adverse effects to adjacent development and neighborhoods;

Applicant’s Response

The proposed use is similar and complementary to the development to the north, which included personal storage, but no boat and RV storage. Enhanced buffering will be provided on the side of the development adjacent to the public right of way. Required buffering standards (masonry wall, enhanced setbacks) will be used to minimize any adverse effects. The use is compatible with the surrounding uses as the project provides necessary landscape buffers and a quiet use type.

It is proposed that an appropriately sized left turn pocket at the existing intersection of Dayton Valley Road and Como Road be created to provide access and mitigate traffic into the site.

Staff Comment

In addition to conformance with performance standards for Self-Storage/RV Storage as discussed in relation to Finding A, the project includes Conditions of Approval that would ensure the project is compatible with the character of adjacent development and is designed to mitigate adverse impacts. The project, as designed and conditioned, provides screening to mitigate adverse impacts related to visual nuisances. The proposed driveway provides adequate area for on-site vehicle queueing before the entrance gate and the project is conditioned to ensure that any vehicle overflow onto Dayton Valley Road would be addressed to the satisfaction of Lyon County Road Department and the Community Development Director. The Applicant agrees to implement the requirements of Lyon County Road Department to install a turn pocket on Dayton Valley Road to facilitate access to the site. The project has been located outside of the Flood Zone AE Floodway to ensure conformance with flood safety requirements. This finding is met.

C. The proposed use will not generate vehicular traffic which cannot be accommodated by the existing, planned or conditioned roadway infrastructure;

Applicant’s Response

Traffic impacts from the project are very light with only 19 ADT estimated for the proposed use. This equates to the traffic volume that would be expected from approximately 3 single family homes. Queuing of clients will be handled on site.
Staff Comment
As a proposed RV and boat storage facility, daily trips to the site would infrequent and could be accommodated by the roadway infrastructure as conditioned with this project. The project was reviewed during a pre-application meeting by Lyon County Roads staff and their comments have been incorporated into the project and Conditions of Approval. This finding is met.

D. The proposed use incorporates roadway improvements, traffic control devices or mechanisms, or access restrictions to control traffic flow or divert traffic as needed to mitigate the development impacts;

Applicant’s Response
Traffic impacts from the project are expected to be very light with only 19 Average Daily Trips, 1 AM peak hour and 2 PM peak hour trips estimated using the ITE Trip generation web-based application, 11th edition. A left turn pocket for movements into the site is proposed for northbound traffic on Dayton Valley Road. Queuing will be handled on site through a deepened driveway entry, prior to accessing the security gate.

Staff Comment
As conditioned, the project includes a left turn pocket on Dayton Valley Road to ensure smoother turn movements when accessing the site, in accordance with the requirements of the Lyon County Road Department. This finding is met.

E. The proposed use incorporates features to address adverse effects, including visual impacts and noise, of the proposed conditional use on adjacent properties;

Applicant’s Response
A solid masonry wall of 8 feet in height is proposed along the Dayton Valley Road frontage. Additionally, the front of the property is proposed to contain a 20-foot-wide landscape planter with a 2-3 foot tall berm and evergreens planted for the tree requirement. This treatment exceeds the street frontage screening requirement contained in 15.335.03(WW)(3).

Staff Comment
A condition of approval is included to ensure the project will provide a solid masonry wall along the full perimeter of the site, which will ensure that visual impacts and noise are adequately minimized and would not have an adverse impact on adjacent properties. With the project integrating the recommended conditions of approval, this finding is met.

F. The proposed conditional use complies with all additional standards imposed on it by the particular provisions of this chapter and all other requirements of this title applicable to the proposed conditional use and uses within the applicable base zoning district, including but not limited to, the adequate public facility policies of this title; and

Applicant’s Response
The additional standards required of the requested use will be complied with in the design and construction of the site. LCC15.335.03 (WW) will be addressed after the use is approved and the facility constructed.

Staff Comment
Title 15.335.03WW of the Lyon County Code provides the required performance standards for this proposed Self-Storage/RV Storage use. As discussed in relation to Finding A (above), the project has been designed and conditioned to comply with those performance standards. This finding is met.

G. The proposed conditional use will not be materially detrimental to the public health, safety and welfare, and will not result in material damage or prejudice to other properties in the vicinity.

Applicant's Response

The Store-More Boat & RV Storage facility project will not create adverse environmental impacts such as smoke, dust, glare, noise, vibrations, fumes, pollution or odor nor would be detrimental to create a nuisance to surrounding properties. Such projects are typically quiet uses.

Staff Comment

The proposed project as designed and conditioned would comply with County requirements intended to ensure the proposed conditional use would not be detrimental to the public health, safety, and welfare or result in material damage or prejudice to other properties in the vicinity. This finding is met.
STORE MORE BOAT AND RV STORAGE
222 DAYTON VALLEY ROAD

CONDITIONAL USE PERMIT

PREPARED FOR:
Blackcomb Property Group, LLC

PREPARED BY:

DECEMBER 19, 2022

UPDATED SITE PLAN AND NARRATIVE – 2/24/2023
PROJECT: 22-115.00

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- ITE Information on Trip Generation for Mini-Storage use,
- Title Report,
- Open Tech Alliance and Storage Genie Cut Sheets,
- Proof of Property Tax Payment .................................................................................................. TAB D
Project Description

Property Location
The subject parcel is a 3-acre parcel located at the southwest corner of the intersection of Dayton Valley Road and Como Road. The property is defined by Lyon County to be APN 006-091-06. Access to the property will be served at the intersection of Dayton Valley Road and Old Como Road. The property is located within the suburban character district that is defined as,

“Suburbanizing Districts include those areas that are predominately medium to high-density residential development with regional/community commercial, neighborhood residential and commercial uses, and industrial and employment uses. Zoning district requirements and the Lyon County development standards for uses within this Character District reflect the "suburban" character of these areas and include requirements for Municipal water and sewer, roadway design appropriate to the planned land uses, landscaping of public areas, and pedestrian facilities (sidewalks and paths).”

A Vicinity Map is provided below showing the subject parcel and development site that is associated with this request.

Project Request
This application is a request for a conditional use permit for the allowance of a self-storage/RV storage use on the subject parcel. The requested use is for covered boat and RV storage. The coverings/canopies are proposed to have solar panels on top of the structures to provide a renewable energy source of power for space renters to keep batteries charged and for other maintenance needs. The total number of boat and RV space is proposed to be 104 spaces. The proposed use is allowed within the existing parcel zoning designation (C-2 under Title 10 and CC under Title 15) with the approval of a conditional use permit. The specific design standard section of code that covers this use is 15.335.03 WW.
Vicinity Map
Land Use and Zoning

The subject parcel’s designated Land Use, per the Dayton Land Use map, is commercial (C) and zoned Commercial-2 (C-2) unit Title 10 and will hold a CC zoning designation with the transition to Title 15. The proposed future use of a self-storage and RV storage business is allowed under the existing zoning designation with a Conditional Use Permit. Exhibits showing the existing Land Use plan and zoning designations are provided on the following pages.
Project Summary
This application for a conditional use permit has been made to allow for additional review of the proposed use on a 3-acre site located adjacent to Dayton Valley Road. The site is relatively flat, and slopes from east to west. The site proposes 104 covered boat & RV storage spaces. The boat and RV spaces will all be 12 feet wide and range in depth between 17' to 52', providing for a variety of boat and RV sizes. The Boat and RV spaces along the southern property line are available for a 50-foot length unit, but only the northern ½ of the space will be covered. This will accommodate for the 20-foot setback requirement to the residentially
zoned property to the south of the project. These spaces will provide flexibility in the operation of the site providing the ability to accommodate longer units, if necessary while still meeting the setback requirement.

**Solar Power** - Solar panels are proposed to be incorporated into the project on canopy roofs. The solar power will pride electric to service to the boat and RV renters for maintenance of batteries or other equipment that may need to remain in a charging/charged state.

**General Site Operations & Security**
The Store More Boat & RV storage facility is proposed to be an unmanned facility that will utilize keypads and mobile application technology for access to the site and units which will allow the facility to be operated with a limited physical presence. Security of the site will be provided through an extensive cloud-based, AI-enabled video monitoring system. Best-in-class access controls and management will be used - see sample information regarding Open Tech Alliance and Storage Genie applications is provided in Tab D of this application. Access technology and security will be the same or similar in design and nature to these examples.

There will not be an on-site office, dump station nor garbage facilities, thus eliminating the necessity for a septic system and garbage service to the site. Maintenance of the site will be provided regularly by a local employee(s) who will be responsible for greeting new renters on first time of storage, maintenance and cleanup of the site on a regular basis and addressing problem issues that are identified at the site.

**Site Access**
Primary project access will be provided off Dayton Valley Road at the intersection of Como Road. As noted in the General Site Operations section of this overview, the space renters will have access to the site through kiosks, keypads and mobile application technology which will allow space renters to use their cell phone and the respective application, similar to a garage door opener, to open the gate(s).

The project driveway entering the site is 36 feet wide, providing two 12-foot entry lanes and one 12-foot-wide exit lane. Should two space renters show up at the same time, they may queue side by side while entering their codes for gate entry. Signage will be provided noting the ability to queue side-by-side, however; once space renters have been introduced to and begin using the site, this entry format will be explained and understood by the renter.

The length of the entry lanes average 60 feet. The side by side entry queuing will provide for 2 – 4 vehicles with trailers to stack at the entry, depending upon the length of the vehicles. A left turn pocket is proposed at the intersection of Dayton Valley Road and Como Road to accommodate for larger vehicles entering the site from the west. Full movement in and out of the project site is proposed with connection to the Dayton
Valley Road/Old Como Road intersection. An image of the project access is provided below and can be seen on the project plan sheets and exhibits in Tab B with this application.

The site design provides two-way travel throughout the site. The Central Lyon County Fire Protection District requires a 20-foot travel lane for fire access and two-way travel. The Lyon County Code (15.335.03 WW (9)) identifies that the minimum width of one-way drive aisles is 15 feet while a two-way drive aisle is 24 feet. Each are noted to need a 10-foot parking lane. The drive aisles within the proposed facility have all been designed to be 35 feet in width, providing a 25-foot travel lane and a 10-foot parking lane on one side of each drive aisle. This width exceeds the code required widths for two-way travel.

An Access Plan is provided in Tab B with this application showing the interior and exterior radii for a fire truck (28 feet interior and 52 feet exterior).

Traffic
Using the ITE 11th Edition Trip Generation web-based application, the estimation of traffic for the project, using a very conservative estimation of 104 total units within the project site is 19 ADT with 1 AM and 2 PM peak hour trips. A copy of the ITE Trip Generation Estimate printouts from the ITE web-based application is provided in Tab D with this application.

Landscaping
The site is required to provide a 10-foot minimum landscape buffer along the entire side of the facility facing any street. For the proposed project, this is required along the eastern side of the project site, adjacent to Dayton Valley Road. A 20-foot landscape buffer has been provided along this side of the project site, exceeding the code requirement. Through initial discussion with County staff and comments from the Dayton Valley Advisory Board, heavier screening along the frontage was identified to be important. As such, the 20-foot planter along Dayton Valley Road is proposed to incorporate a 2–3-foot berm along with evergreen trees meeting Chapter 402 of the Lyon County Code and providing better year-round screening. The increased landscape planting height will be augmented with an 8-foot solid wall (discussed in the Wall & Fencing section) to help provide a solid screen along the property frontage with Dayton Valley Road.
A preliminary landscape plan is provided in Tab B with this application package showing the landscape areas along the project street frontage and at the project entry.

**Wall & Fencing**

The site is proposed to be fully secured with a solid wall along the front of the site and an open fencing treatment on the back half of the site. The solid wall is proposed to be a stamped concrete panel wall while the open fencing is proposed to be provided as chain link, matching the chain link fencing that is provided at the mini-storage site to the north of the subject parcel. An image of the existing chain link fence at the River Vista Storage project is provided, below. The Lyon County Code (15.335.03 WW) requires a solid masonry wall around the perimeter of the property. However, some areas of open fencing are proposed with the application for a few good reasons.

Rationale for allowance of some open fencing on the site

- The western portion of the site does not present the same level of visual sensitivity that the eastern portion of the site does along Dayton Valley Road.
- The western portion of the site is within a flood zone. Should a solid wall be included around the entire property, flood waters that could come onto the property would be displaced and impact down-stream properties.
- There are portions of the property or areas on adjoining properties that would become “invisible” for security purposes with a solid wall. This would create areas where homeless camping or other undesired activities may not be recognized such that they can be addressed.

The image provided below shows the Fencing Plan (also provided in Tab B with this application) and notes areas where visibility for security would be improved and where flooding would be allowed to pass onto the site, as is currently experienced.
Wall/Fencing Examples

Stamped Concrete Panel Wall (Example)  Open Fencing (Example)
Lighting
Site lighting will consist of light standards or canopy end mounted lights similar in style to the picture below. The purpose of the lighting is to provide visibility for patrons and general security at the project entry and within the project site. The height of any free-standing lighting will conform with Lyon County requirements.

*Lighting Example*

Parking
The Lyon County Code (15.335.03 WW(8)) requires that one parking space be provided for every one hundred (100) storage units with a minimum of three (3) parking spaces required for the office facility. The design of the site does not hold an office facility. As such, there would be no requirement for the three “office” spaces. The site contains a total of 104 boat and RV storage spaces. Per the code requirement, two (2) parking spaces are required within the facility. One striped parking space is provided in the northwestern portion of the site at the end of a canopy section. The estimated parking within the 10-foot parking lanes that provides sufficient lineal distance to accommodate an additional 42+/- spaces. As such, parking requirement is met and exceeded. Due to the nature of the site, it is anticipated that the provided parking will be sparsely used because boat and RV storage uses typically see people actively hooking up or detaching their boat or RV with no need to park, in a traditional sense.
**FEMA Flood Zones**

The 3-acre site is located in both Zone X and Zone AE, as defined by FEMA. Development of the property is proposed to only exist within the Zone X area. The Zone AE area on the western side of the site is proposed to be undeveloped. An exhibit showing the FEMA flood zones and the site boundary is provided, below.
Existing Site Photos
The development site slopes from east to west. The site lies at the intersection of a number of informal dirt trails that can be seen on the Lyon County GIS map. Site photos showing the access road to the development site and the existing site disturbance are provided, below.

View from NE corner of Dayton Valley Road and Como Road intersection toward site

View from Dayton Valley Road near southern property line. View to the west across site.
View from approximate midpoint on southern property line looking north across the project site.

View from approximate midpoint on northern property line looking south across the project site.

View from the northeast portion of the subject property to the north showing the existing open fencing treatment that has been used at the back side of the existing mini-storage site to the north.
Setbacks
Minimum setbacks within the C2 (Title 10) or CC (Title 15) zoning district are per LCMC 15.313.405.02(B)
Community Commercial Building Placement Requirements:

<table>
<thead>
<tr>
<th>Setback:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>From property lines abutting residential uses</td>
<td>20 feet</td>
</tr>
<tr>
<td>From property lines abutting adjacent public ROW</td>
<td>20 feet</td>
</tr>
<tr>
<td>Rowe to chapter 360 of this title, commercial design standards</td>
<td></td>
</tr>
<tr>
<td>From front property line if the building is</td>
<td>10 feet</td>
</tr>
<tr>
<td>oriented toward the street and accesses the</td>
<td>10 feet</td>
</tr>
<tr>
<td>public sidewalk</td>
<td>subject to chapter 360 of this title, commercial design standards</td>
</tr>
<tr>
<td>From property lines abutting Commercial or</td>
<td>0 feet</td>
</tr>
<tr>
<td>Industrial Zones or uses</td>
<td>subject to applicable Building and Fire Codes</td>
</tr>
<tr>
<td>Rear</td>
<td>10 feet; 0 feet with alley</td>
</tr>
</tbody>
</table>

Development Statistics
Following is an abbreviated site development statistic listing for Store-More Boat & RV Storage facility project. Please see Schematic Site Plan for breakdown of units and area.

<table>
<thead>
<tr>
<th>Total Parcel Size</th>
<th>3.0+/- AC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site Development Area:</td>
<td>2.49+/- AC</td>
</tr>
<tr>
<td>Area to be Undeveloped</td>
<td>0.51+/- AC</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Total Canopy Square Footage</th>
<th>50,000+/- S.F.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Paved Area</td>
<td>99,000+/- S.F.</td>
</tr>
<tr>
<td>Landscaped Area (front yard and entry landscape area)</td>
<td>5,600+/- SF</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Boat and RV Storage Spaces (Covered)</th>
<th>104</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parking Required (per 15.335.03 WW(8))</td>
<td>2 parking spaces</td>
</tr>
<tr>
<td>Parking Provided – Includes 1 parking space and 10 foot parking lanes</td>
<td>43+/- parking spaces</td>
</tr>
</tbody>
</table>
Conditional Use Permit Legal Findings Review

Section 15.230.06 -- Findings. When considering applications for a conditional use permit, the commission or Board, where applicable, must evaluate the impact of the conditional use on and its compatibility with surrounding properties and neighborhoods to mitigate potential impacts of the use at a particular location and make the following findings:

A The proposed use at the specified location is consistent with the policies embodied in the adopted master plan and the general purpose and intent of the applicable district regulations;

*Policy FS 1.1: Location of New Development* New development will occur in areas that are served by, or are adjacent to, areas with existing utility systems to avoid distant and costly extensions.

The proposed project site has existing utilities adjacent to the parcel, avoiding distant and costly extensions of service.

*Policy C 7.1: Confer with Community Advisory Councils* when developing a program or policy intended to address a community-specific issue, such as those listed in this Master Plan. County staff will confer with the applicable Community Advisory Board before finalizing a decision.

This project will be reviewed by the Dayton Advisory Board as part of the application processing.

*Policy LU 1.1: Follow Development Patterns as Established in the Land Use Plan* Future development of Lyon County will be consistent with the Land Use Plan. The Land Use Plan will guide future growth and development by defining appropriate land use types, densities, and character in different locations including cities and towns, suburbanizing areas, rural areas, farm and ranch land, hillsides, and public lands. The county’s future urban and suburban growth will develop largely around existing communities.

The proposed development is located within the suburban character management area of Dayton and is located with convenient access within an existing community.

*Policy LU 1.3: Commercial and Mixed-Use Development to be Located in Communities* Non-residential development will occur in areas with existing or planned infrastructure, and in locations that are appropriately designated on the Land Use Plan. New suburban and rural residential development will be located near existing and future community centers.

Existing infrastructure is located nearby for direct service to the project site.

*Policy LU 5.1: Encourage Resource-Sensitive Growth and Sustainable Design* Lyon County will encourage development that incorporates the principles of sustainable design and that reduces
energy and resource consumption and impacts on the environment, by: • Minimizing resource consumption, energy use, and water use; • Using renewable energy sources and locally produced materials; • Exploring and encouraging alternatives to toxic pesticides and herbicides; and • Using programs such as LEED™ (Leadership in Energy Efficiency and Design), United States Department of Energy’s Building America Program, and Energy Star, and other standards for energy efficiency.

The project proposes the inclusion of solar panels on top of Boat and RV storage canopies to help reduce the overall power demand for the project.

Policy NR 5.1: Geothermal, Solar and Wind Lyon County will encourage utilization of available renewable energy resources, such as solar radiation, geothermal heat, and wind.

The project proposes the inclusion of solar panels on top of Boat and RV storage canopies to help reduce the overall power demand for the project.

Policy NR 6.2: No Increase in Risk from Natural Hazards To the extent possible, Lyon County will avoid or mitigate increased risk from natural hazards to persons or property that are caused by development

The proposed development leaves 0.45+/- acres (15% of the site) that is within the FEMA Zone AE Floodway area undeveloped.

Policy NR 8.2: Dark Skies Lyon County will minimize light pollution while allowing for adequate lighting for safety and security.

Lighting will be appropriately designed and shielded, per County Code requirements.

Policy FS 1.1: Location of New Development New development will occur in areas that are served by, or are adjacent to, areas with existing utility systems to avoid distant and costly extensions.

Existing infrastructure is located nearby for direct service to the project site.

B. The proposed use is compatible with the character and integrity of adjacent development and neighborhoods and includes improvements or modifications either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as traffic, noise, odors, visual nuisances, or other similar adverse effects to adjacent development and neighborhoods;

Response: The proposed use is similar and complementary to the development to the north, which includes personal storage, but no boat and RV storage. Enhanced buffering will be provided on the side of the development adjacent to the public right of way. Required buffering standards (masonry wall, enhanced setbacks) will be used to minimize any adverse effects. The use is compatible with the surrounding uses as the project provides necessary landscape buffers and a quiet use type.
It is proposed that an appropriately sized left turn pocket at the existing intersection of Dayton Valley Road and Como Road be created to provide access and mitigate traffic into the site.

C. The proposed use will not generate vehicular traffic which cannot be accommodated by the existing, planned or conditioned roadway infrastructure;

Response: Traffic impacts from the project are very light with only 19 ADT estimated for the proposed use. This equates to the traffic volume that would be expected from approximately 3 single family homes. Queuing of clients will be handled on site.

D. The proposed use incorporates roadway improvements, traffic control devices or mechanisms, or access restrictions to control traffic flow or divert traffic as needed to mitigate the development impacts;

Response: Traffic impacts from the project are expected to be very light with only 19 ADT, 1 AM peak hour and 2 PM peak hour trips estimated using the ITE Trip generation web-based application, 11th edition. A left turn pocket for movements into the site is proposed for northbound traffic on Dayton Valley Road. Queuing will be handled on site through a deepened driveway entry, prior to accessing the security gate.

E. The proposed use incorporates features to address adverse effects, including visual impacts and noise, of the proposed conditional use on adjacent properties;

Response: A solid masonry wall of 8 feet in height is proposed along the Dayton Valley Road frontage. Additionally, the front of the property is proposed to contain and a 20-foot-wide landscape planter with a 2-3 foot tall berm and evergreens planted for the tree requirement. This treatment exceeds the street frontage screening requirement contained in 15.335.03(WW)(3).

F. The proposed conditional use complies with all additional standards imposed on it by the particular provisions of this chapter and all other requirements of this title applicable to the proposed conditional use and uses within the applicable base zoning district, including but not limited to, the adequate public facility policies of this title; and

Response: The additional standards required of the requested use will be complied with in the design and construction of the site. LCC15.335.03 (WW) will be addressed after the use is approved and the facility constructed.

G. The proposed conditional use will not be materially detrimental to the public health, safety and welfare, and will not result in material damage or prejudice to other properties in the vicinity. (Ord. 603, 11-1-2018)
Response: The Store-More Boat & RV Storage facility project will not create adverse environmental impacts such as smoke, dust, glare, noise, vibrations, fumes, pollution or odor nor would be detrimental to create a nuisance to surrounding properties. Such projects are typically quiet uses.
GENERAL NOTES

1) ALL PLANTING AND IRRIGATION SHALL BE INSTALLED PER LOCAL GOVERNING CODES.

2) FINAL PLANT SELECTION AND LAYOUT WILL BE BASED ON SUSTAINABLE HORTICULTURAL PRACTICES RELATING TO MICRO CLIMATE, SOIL, AND WATER REQUIREMENTS. ALL TREES WILL BE STAKED DO TO AS TO REMAIN UPRIGHT AND PLUMB FOLLOWING INSTALLATION. PLANT SIZE AND QUALITY AT TIME OF PLANTING WILL BE PER THE AMERICAN STANDARDS FOR NURSERY STOCK (ANS 283.1-1980).

3) ALL SHRUB BEDS WILL RECEIVE MULCH TOPDRESSING WITH WEED CONTROL.

4) ALL LANDSCAPING WILL BE AUTOMATICALLY RIGIDIZED. CONTAINER PLANTINGS WILL BE Drip-Irrigated BASED ON THE SPECIFIC HORTICULTURAL REQUIREMENTS OF EACH SPECIES. BASELINE WATER REQUIREMENTS WILL BE PROVIDED ON THE IRRIGATION SYSTEM AS REQUIRED PER CODE.

5) PLAN IS CONCEPTUAL FINAL SPECIES SELECTION AND SIZE AT PLANTING SHALL BE DETERMINED DURING DEVELOPMENT OF THE FINAL CONSTRUCTION DOCUMENTS.

PLANT LEGEND

EVT: EVERGREEN TREE

LANDSCAPE AREA

LANDSCAPE DATA

SITE AREA: 106,800 SQ FT (3 ACRES)
JURISDICTION: DAYTON
APN: 006-091-10

ZONE: VACANT COMMERCIAL (CZ)

TOTAL PROPOSED LANDSCAPE AREA: 5,600+ SQ FT

TREES PROPOSED: 10

SHRUBS PROPOSED: 67

SECTION A-A

0’ 30’ 60’ 90’

Scale in Feet

6 FT FENCE WALL

24’-0’" LANDSCAPE BERM ALONG DAYTON VALLEY ROAD (TYP.)
SITE LEGEND
PROPOSED BOAT AND RV STORAGE CANOPY
WITH SOLAR PANELS ON TOP. SHAPE AND
SIZE OF CANOPIES ARE CONCEPTUAL ONLY

DEVELOPMENT STATISTICS
TOTAL PARCEL AREA = 3.00 ACRE
DEVELOPMENT AREA = 2.49 ACRE
LS AREA PROVIDED = 0.14 ACRE
UNDEVELOPED AREA = 0.51 ACRE

STORAGE SPACES
104 CANOPY COVERED BOAT AND RV SPACES
CANOPY COVERAGE AREA = 50,000 SF

PARKING PROVIDED
1 PASSENGER VEHICLE PARKING SPACE AND 10'
PARKING LANE PROVIDED IN EACH DRIVE AISLE
(PER CODE)
42 ASSUMED PARKING SPACES
Boat and RV Storage Canopy Examples
Land Use: 151
Mini-Warehouse

Description
A mini-warehouse is a building in which a number of storage units or vaults are rented for the storage of goods. They are typically referred to as “self-storage” facilities. Each unit is physically separated from other units, and access is usually provided through an overhead door or other common access point.

Additional Data
The technical appendices provide supporting information on time-of-day distributions for this land use. The appendices can be accessed through either the ITETripGen web app or the trip generation resource page on the ITE website (https://www.ite.org/technical-resources/topics/trip-and-parking-generation/).

The sites were surveyed in the 1980s, the 1990s, the 2000s, and the 2010s in California, Colorado, Massachusetts, Minnesota, Nevada, New Jersey, Texas, and Utah.

Source Numbers
212, 403, 551, 568, 642, 708, 724, 850, 868, 876, 1024, 1035
222 Dayton Valley Road – Store More Boat and RV
Estimate Average Daily Trips (Weekday)

Total ADT Estimate for 104 Units (Boat and RV and Storage Spaces) – 19 ADT
Mini-Warehouse
(151)

Vehicle Trip Ends vs: Storage Units (100s)
On a: Weekday

Setting/Location: General Urban/Suburban
Number of Studies: 6
Avg. Num. of Storage Units (100s): 5
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per Storage Unit (100s)

<table>
<thead>
<tr>
<th>Average Rate</th>
<th>Range of Rates</th>
<th>Standard Deviation</th>
</tr>
</thead>
<tbody>
<tr>
<td>17.96</td>
<td>12.25 - 33.33</td>
<td>4.13</td>
</tr>
</tbody>
</table>

Data Plot and Equation

Fitted Curve Equation: \( T = 18.86(X) - 4.09 \)
\( R^2 = 0.96 \)
222 Dayton Valley Road – Store More Boat and RV
AM Peak Hour Trips (Weekday)

Total AM Peak Hour Trips for 104 Units (Boat and RV and Storage Spaces)
Estimated Average AM Peak Hour Trip Ends 2 -- 1 (Entry) and 0 (Exit)
Mini-Warehouse
(151)

Vehicle Trip Ends vs: Storage Units (100s)
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 7 and 9 a.m.

Setting/Location: General Urban/Suburban
Number of Studies: 7
Avg. Num. of Storage Units (100s): 7
Directional Distribution: 51% entering, 49% exiting

Vehicle Trip Generation per Storage Unit (100s)

<table>
<thead>
<tr>
<th>Average Rate</th>
<th>Range of Rates</th>
<th>Standard Deviation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.21</td>
<td>0.45 - 1.70</td>
<td>0.49</td>
</tr>
</tbody>
</table>

Data Plot and Equation

Fitted Curve Equation: \( T = 1.64(X) - 2.90 \)
\( R^2 = 0.68 \)
Total PM Peak Hour Trips for 104 Units (Boat and RV and Storage Spaces)
Estimated Average PM Peak Hour Trip Ends 2 -- 1 (Entry) and 1 (Exit)
Mini-Warehouse
(151)

Vehicle Trip Ends vs: Storage Units (100s)
On a: Weekday,
    Peak Hour of Adjacent Street Traffic,
    One Hour Between 4 and 6 p.m.
Setting/Location: General Urban/Suburban
Number of Studies: 9
Avg. Num. of Storage Units (100s): 5
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per Storage Unit (100s)

<table>
<thead>
<tr>
<th>Average Rate</th>
<th>Range of Rates</th>
<th>Standard Deviation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.68</td>
<td>0.56 - 8.33</td>
<td>1.37</td>
</tr>
</tbody>
</table>

Data Plot and Equation

Fitted Curve Equation: \( \ln(T) = 0.60 \ln(X) + 1.07 \)
\( R^2 = 0.52 \)

Trip Gen Manual, 11th Edition
• Institute of Transportation Engineers
Hands-Free Access To Your Storage

Secure access to our property all while keeping your phone in your pocket!

Storage Genie mobile app securely grants access to our property all while keeping your phone in your pocket! Keep track of your onsite activity, make payments and contact us all from your mobile. Download the app today!

Features

**Beacon Technology**
Utilizes beacons embedded in keypad to securely grant access to our property without opening phone.

**Access History**
Keep track of activity onsite. Businesses, see who is using the unit and when.

**Make a Payment**
Life is busy and we want to make it easier for you to make an online payment for your storage unit.

**Contact Us**
Your important to us and we want to hear from you! Call or email us with a click of a button.

Storage Genie

[Download from App Store](#)
Overview & Components

INSOMNIAC CIA consists of the three main hardware components: 
The Gateway, Keypad and Relay Expansion Modules. A typical self-
storage will utilize a Gateway and one more Keypads. The Relay Expan-
sion Modules are typically used for elevator and lightning controls. The
Storage Genie mobile app communicates with the keypad from the
users mobile device using its' built-in Bluetooth Beacon technology.

Gateway
Enclosure: Indoor, Aluminum, Power Coated
Communications: RS485 (2), Optional Wireless (900 MHz), Ethernet
Secure Communications: Yes; No requirement for static IP; Open
Ports or Port Forwarding
Form C Relay Outputs: 4
Auxiliary Inputs: 8
Wiegand Interface: 2
Tamper: Yes
Battery Backup Power: Yes
Device Power: Up to 16 Devices
Operating Voltage: 12-24 VDC
Operating Temperature Range: 22 – 120 F
Humidity: 0-95% Non-Condensing
Ingress Rating: IP44
Listed to UL Specification 294 for Access Control

Keypad
Enclosure: Indoor/Outdoor, Power Coated Aluminum
Lockable Design with Captive Screws and Hinged Faceplate
"Text Me My Code" Capability*
Bluetooth Beacon: Yes. For use with Storage Genie mobile app
Communications: RS485 (1), Optional Wireless (900 MHz)
Secure Communications: Yes
Display: 4 Line Organic LED (OLED) Customizable Display
Form C Relay Outputs: 2
Auxiliary Inputs: 4
Tamper: Yes
Wiegand Inputs: 1
Intercom: Yes
Camera: Optional
Operating Voltage: 12 - 24 VDC, 500ma
Operating Temperature Range: -31 – 150 F
Humidity: 0 – 95% Non-Condensing
Ingress Rating: IP55. Gasket to prevent moisture
Listed to UL Specification 294 for Access Control

*Allow tenants to retrieve their access code by text message.

*INSOMNIAC CIA is a registered trademark of OpenTech Alliance, Inc. All rights reserved.
**Relay Module**
- Enclosure: Indoor/Outdoor, Aluminum, Power Coated
- Communications: RS485 (1), Optional Wireless (900 MHz)
- Secure Communications: Yes
- Form C Relay Outputs: 8
- Auxiliary Inputs: 8
- Tamper: Yes
- Elevator Override Key: Yes
- Operating Voltage: 12-24 VDC
- Operating Temperature Range: -31 – 150 F
- Humidity: 0 – 95% Non-Condensing
- Ingress Rating: IP55. Gasket to prevent moisture
- Listed to UL Specification 294 for Access Control

**INSOMNIAC CIA Portal**
- Web based software
- No software or PC required at property
- Access via PC, Mac, Tablet or mobile device
- User Dashboard
- Real-time diagnostics
- Data visualization and reporting
- Control one to thousands of properties
- Secure Communications: Yes; No requirement for static IP; Open Ports or Port Forwarding

**Storage Genie Mobile App**
- Compatible with Apple iOS or Android
- Bluetooth Beacon technology for secure “No Touch” operation - Allows tenants to enter & exit property, open doors, gates, elevators, etc. completely handsfree
- No requirement for PC at property
- Allows access to multiple properties
- Customer notification and alerts

**Lightning/Surge Protection**
- Testing Lab: National Testing Systems (NTS)
- Power Inputs: 20,000V at 10,000 Amps
- RS485 Communications: 16,000V at 380 Amps

*INSOMNIAC CIA is a registered trademark of OpenTech Alliance, Inc. All rights reserved.*
Tax Account 006-091-10

Owners
DAYTON FLYER LLC
1805 N CARSON ST #53
CARSON CITY, NV 89701-0000

Account Summary

<table>
<thead>
<tr>
<th>Account ID</th>
<th>006-091-10</th>
</tr>
</thead>
<tbody>
<tr>
<td>Account Type</td>
<td>Real Estate</td>
</tr>
</tbody>
</table>
| Location | 222 DAYTON VALLEY RD
            DAYTON VALLEY |
| Balance | $649.00 |
| Currently Due | $649.00 |

$649.00 is due by March 06, 2023.
You can pay any amount up to $649.00 (the current balance).

Current Year

<table>
<thead>
<tr>
<th>Description</th>
<th>2022/2023 REAL ESTATE TAXES</th>
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<tr>
<td>Total</td>
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<tr>
<td>Paid</td>
<td>$1,949.60</td>
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<tr>
<td>Balance</td>
<td>$649.00</td>
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<tr>
<td>Due</td>
<td>$649.00</td>
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<tr>
<td>Ad Valorem Tax Rate</td>
<td>3.2098</td>
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<tr>
<td>Tax Cap</td>
<td>100% High 8.0%</td>
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Current Year Installments

<table>
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<tr>
<th>#</th>
<th>Due Date</th>
<th>Penalty Date</th>
<th>Status</th>
<th>Original Total</th>
<th>Penalty</th>
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<th>Total Due</th>
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</thead>
<tbody>
<tr>
<td>1</td>
<td>08/15/2022</td>
<td>08/26/2022</td>
<td>Paid</td>
<td>$651.60</td>
<td>$0.00</td>
<td>$651.60</td>
<td>$516.00</td>
<td>$0.00</td>
<td>Pay $649.00 Now</td>
</tr>
<tr>
<td>2</td>
<td>10/03/2022</td>
<td>10/14/2022</td>
<td>Paid</td>
<td>$649.00</td>
<td>$0.00</td>
<td>$649.00</td>
<td>$649.00</td>
<td>$0.00</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>01/03/2023</td>
<td>01/16/2023</td>
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<tr>
<td>4</td>
<td>03/06/2023</td>
<td>03/17/2023</td>
<td>Due</td>
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<td>$649.00</td>
<td>$0.00</td>
<td>$649.00</td>
<td></td>
</tr>
</tbody>
</table>

Past Years
Lyon County Board of County Commissioners Agenda Summary

Meeting Date: May 4, 2023
Agenda Item Number: 14.a
Subject: For Possible Action: Acknowledge resignation from Elaine St. John from the Dayton Regional Advisory Board.

Recommendation:

Summary:

Financial Department Comments:

District Attorney Comments:

County Manager Comments:

Attachments:
Resignation Letter from Elaine St. John
4/17/23

Elaine St John
201 La Costa Ave.
Dayton NV 89403

To:
Lyon County Board of Commissioners
27 S. Main St.
Yerington, NV 89447

Dear Commissioners,

It is with a heavy heart that I must submit my resignation from the Dayton Citizens Advisory Board, effective immediately. It has been an honor to serve the great people of Dayton and I want to thank you for your trust in me. The Citizen Advisory Board is a tool that should be implemented in all counties across the USA.

Sincerely,
Elaine St John
Meeting Date: May 4, 2023

Agenda Item Number: 14.b

Subject: For Possible Action: Approve Clerk Treasurer to purchase 5 rolling ballot bins in the amount not to exceed $2,200.00, to be funded from a budget transfer from General Fund contingency.

Recommendation:
Approve Clerk Treasurer to purchase 5 rolling ballot bins in the amount of $2,200.00, funded from a budget transfer from General Fund contingency.

Summary:
The State has 1.3M in additional funds appropriated by AB321 to purchase additional election equipment which has been expanded to include ballot boxes. We have no budget for these items in the current fiscal year 22/23. In order to qualify for the amount to be reimbursed we have to order and make payment before June 30, 2023. We anticipate reimbursement from the state but not guaranteed.

Financial Department Comments: This would be funded from a budget transfer from the General Fund contingency initially. We do anticipate reimbursement from the State, but since it is not guaranteed it needs to be funded from contingency.

District Attorney Comments:

County Manager Comments:

Attachments:
Lyon County Board of County Commissioners Agenda Summary

Meeting Date: May 4, 2023
Agenda Item Number: 14.c

Subject: For Possible Action: Review and discussion for the appointment process of the Planning Commission and provide direction to the County Manager on the creation of a policy. (Requested by Comm.Hockaday)

Recommendation:

Summary:

Financial Department Comments:

District Attorney Comments:

County Manager Comments:

Attachments:
Meeting Date: May 4, 2023

Agenda Item Number: 14.d

Subject: For Possible Action: Appoint up to two members to the Debt Management Commission, with one member for the position of member at large with a term expiring December 31, 2024, and one member from the GIDs in the County: Applicants are Ethelda Marjorie Gartenberg for the GID member and any other applicants received prior to the meeting.

Recommendation:

Summary:

Financial Department Comments:

District Attorney Comments:

County Manager Comments:

Attachments:
Application for Ethelda Marjorie Gartenburg
Lyon County
Application to Serve on an Advisory Board

Please note that all information contained in this application is considered public record and available for public review.

Check the Board or Commission for which you are applying:

☐ 911 Surcharge Committee  ☐ Mound House Advisory Board
☐ Advisory Board to Manage Wildlife  ☐ Planning Commission
☐ Animal Control Advisory Board  ☐ Regional Transportation Board
☐ Central Lyon Park & Recreation Board  ☐ Room Tax Board
☐ Central Lyon Vector Control Board  ☐ Silver City Cemetery Board
☐ Dayton Regional Advisory Board  ☐ Silver City Advisory Board
☐ Dayton Valley Events Center Board  ☐ Silver Springs Advisory Board
☒ Debt Management Commission  ☐ Smith Valley Advisory Board
☐ Library Board of Trustees  ☐ Smith Valley Park & Recreation Board
☐ Lyon County Fair Board  ☐ Stagecoach Advisory Board
☐ Mason Valley Advisory Board  ☐ Walker River Weed Control Board
☐ Mason Valley Mosquito Abatement

Contact Information:

Name:  Ethelda Gartenberg
Address:  7750 Cheyenne Trail  Stagecoach, NV  89429
Phone:  775-813-5271  Email:  Ethelda45@aol.com

How long have you been a resident of Lyon County?  22 years

How many board or commission meetings have you attended in the last year?  2

List boards or commissions you presently serve on or have served on in the past including dates of service:

Debit Management - 4 years appointed 2019
SGID - 8 years appointed 2015
Education and/or training relevant to the position you are applying for:

I have a Bachelor of Science from the University of Eastern Oregon, secondary education degree in Mathematics/Calculus, Social Studies, and Reading. I have taught Consumer Mathematics/Debit Management in Lyon County School District for 11 years. I am currently holding the Debit Management position and have held it for the past 4 years.

Explain briefly why you would like to be appointed to this board or commission:

I would like to continue to maintain an awareness of the debit position of Lyon County.

I certify that, to the best of my knowledge, the information I provided in this application is true. If the information provided is false or incomplete, it shall be sufficient cause for disqualification or removal, if appointed. I acknowledge that, if appointed, I am required to: timely attend all mandatory training (including training that is a condition to being sworn in); comply with applicable record keeping requirements; and otherwise adhere to the handbook, policies, and laws by which I am bound. I am aware that failure to do so is grounds for removal from the advisory board.

Signature: [Signature]
Date: 4-25-23

Notice:
At the meeting to consider your application for appointment, the Board or Commission, may consider your character, alleged misconduct, professional competence, or physical or mental health. This notice is provided pursuant to NRS 241.031 and 241.033. The topics of discussion will relate to your ability to serve in the position for which you have applied. If the Advisory Board of County Commission desires to close the meeting, they must allow you to: (a) attend the closed meeting or that portion of the closed meeting during which the character, alleged misconduct, professional competence, or physical or mental health of the person is considered; (b) have an attorney or other representative of the person’s choosing present with the person during the closed meeting; and (c) present written evidence, provide testimony and present witnesses relating to the character, alleged misconduct, professional competence, or physical or mental health of the person to the public body during the closed meeting. You will not receive any additional notice, and by signing this application you hereby agree to waive any right to future notice pursuant to NRS Chapter 241.

Signature: [Signature]
Date: 4-25-23

Please return the application to:

Lyon County Manager’s Office
ATTN: Erin Lopez
27 South Main Street
Yerington, Nevada 89447
Office: (775)463-6531; Fax: (775)463-6500

Via email: eloza@lyon-county.org