The Honorable Board of Lyon County Commissioners met this day, Thursday, January 03, 2023 at 9:20 a.m. in the LYON COUNTY ADMINISTRATIVE COMPLEX, 27 S. MAIN STREET, YERINGTON, NV 89447.

1. Roll Call


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

2. Invocation given by John Poundstone of Joy Church

John Poundstone gave the invocation.

3. Pledge of Allegiance

4. Public Participation

There was none.

5. For Possible Action: Review and adoption of agenda

Comm. Jacobson moved to adopt the agenda as written.

Comm. Henderson seconded.

The motion passed 3-0.

6. Time Certain

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

All newly elected officials were sworn in by Judge Aberasturi. Elected Officials include Clerk Treasurer Staci Lindberg, Recorder Anita Talbot, Commissioner Dave Hockaday, Commissioner Scott Keller, Assessor Troy Villines, District Attorney Steve Rye, Sheriff Brad Pope, and Fernley Swimming Pool Director Suzanne Prouty.

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

Andrew Haskin gave a brief overview of the Chairman and Vice Chairman duties.

Comm. Henderson stated he is interested in the Chairman position. Comm. Jacobson stated Comm. Henderson would do the best job representing our County and State and nominated him for Chairman.

Comm. Keller made a motion to elect Dave Hockaday as the Commissioner Chair and to fix the term for the year 2023 into 2024 until someone else is elected to that position. Comm. Hockaday seconded. The motion tied at 2-2 with Comm. Henderson and Comm. Jacobson opposed.


Comm. Keller made a motion to appoint Dave Hockaday Interim Chair until there is a full board and as soon as the full board is appointed it can come back up for possible action. Comm. Hockaday seconded. The motion tied at 2-2 with Comm. Henderson and Comm. Jacobson opposed.

Andrew Haskin notified the board of all their options to elect a Chair.
Comm. Keller asked to have his name added if they are going to draw cards. Comm. Jacobson questioned if Comm. Keller could add his name if he was not nominated. District Attorney Steve Rye stated that the card draw would only be for those that had been nominated.

Comm. Henderson moved that Comm. Hockaday and Comm. Henderson draw cards with the high card to serve as Chair for 2023 until the first meeting of 2024 and the low card serving as Vice Chair for 2023 until the first meeting for 2024. Comm. Jacobson seconded. Motion passed 4-0.

Cards were drawn, Comm. Hockaday is Chairman and Comm. Henderson is Vice Chairman.

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

Comm. Hockaday moved to elect Comm. Henderson to serve as Vice Chair to fix the term of office for the Vice Chair as required by NRS 244.070 until the first meeting in 2024.

Comm. Henderson seconded, there was no public participation, and the motion passed 4-0.

6.d. Time Certain at 9:00 A.M: Public Hearing- Bill No. 23-01: For Possible Action: Approve an ordinance amending Lyon County Code Title 1, Chapter 4, General Penalty, and Title 8, Chapter 1, Section 1, Definitions, Chapter 10, Section 3, Citations, Chapter 11, Section 9, Enforcement of Provisions, and Section 10, Violation and Penalty, by designating certain vehicle and traffic related criminal “misdemeanors” as “civil infractions” consistent with Assembly Bill 116 enacted by the 81st Session of 2 the Nevada Legislature.

District Attorney Steve Rye gave a presentation on the ordinance and the minor changes to be made.

Comm. Jacobson questioned the reduction in fines and the difference between a civil infraction and a misdemeanor. Steve Rye explained that the difference is that a misdemeanor is a criminal act, along with that comes possible jail time, fines up to $1,000.00 or arrest warrants. Those items are not available for civil infractions. Civil infractions would be collected in a different manner, either by suspension of driver’s license or through collection agencies and this is the biggest difference. Some items such as driving on a suspended license or without a license would still remain criminal cases.

He also asked Sheriff Pope if this was for the better or worse and will there be any extra costs involved. Sheriff Pope stated they will need to make adjustments and it will be a challenge with the new law change and there would not be any costs involved.

Comm. Hockaday stated that with the lower fines the county will be bringing in less money to cover the costs of infractions. Steve Rye stated the Bill includes provisions to give the Sheriff’s Office the provisions they need to do investigations and will not impair their ability to enforce public safety.

Comm. Jacobson moved to approve an ordinance amending Lyon County Code Title 1, Chapter 4, General Penalty, and Title 8, Chapter 1, Section 1, Definitions, Chapter 10, Section 3, Citations, Chapter 11, Section 9, Enforcement of Provisions, and Section 10, Violation and Penalty, by designating certain vehicle and traffic related criminal “misdemeanors” as “civil infractions” consistent with Assembly Bill 116 enacted by the 81st Session of 2 the Nevada Legislature.


Comm. Hockaday asked for public participation, there was none. The motion passed 4-0.

7. Presentation of awards and/or recognition of accomplishments

There were none.

8. Commissioners/County Manager reports
Comm. Jacobson apologized for being late due to the weather. He thanked the crews out working to clear the roads. He hoped the power was restored to all County residents. He thanked all who ran for County races and won.

Comm. Keller thanked everyone who voted for him and all the other winners and thanked the County for getting him prepared for his new position.

Comm. Henderson thanked the County staff for how they handled the weather situation and he looks forward to working with his fellow board members this year.

Comm. Hockaday thanked all the crews working to clear the snow and the power company employees.

Interim County Manager Andrew Haskin reported on the efforts to get sandbags to residents and then the snow and power issues. County employees were out Saturday clearing snow and setting up shelters. They did an amazing job and urged everyone to be prepared for the coming storm.

Comm. Henderson commented that he drove around the Dayton area and there were no issues.

Comm. Hockaday asked if the blankets from the fire evacuation were replaced to have enough for the next emergency. Andrew Haskin said he would have to look into that.

9. Elected Official’s reports
   9.a. For Report Only: Dayton Justice Court
        - NOV 2022 CRIMINAL AND CIVIL STATISTICS
   9.b. For Report Only: Canal Township Justice Court
        - November 2022 Stats

10. Appointed Official’s reports

Comptroller Josh Foli commented that the battery banks used by emergency facilities are at least ten years old and were already planned to be replaced this year. They are running from 30 minutes to five hours before the generators need to be used. They may need to be replaced earlier than expected. Comm. Henderson questioned the cost. Josh Foli said it would cost around $25,000 per site. Comm. Henderson questioned if solar could be used. Josh Foli stated it would be more feasible long term wise to use the batteries and generator, about half the cost.

Comm. Hockaday stated he estimated it would cost around $100,000.00, Josh stated $65,000-$100,000.00

Shayla Holmes added that twelve individuals utilized the warming shelter. She also mentioned that the point and time count is on January 26th. This is to count the number of homeless. If anyone is interested in helping they can contact her.

Comm. Jacobson thanked Shayla’s crew also.

Doug Homestead thanked his crew and Dustin Homan’s crew for their hard work. He congratulated all the newly elected officials.


11. Advisory Board reports

Gina Lee from the Dayton Regional Advisory Board reported that they have a full board this year. There are still two seats open on the Central Lyon County Parks and Recreation Board and urged any who are interested to apply.

CONSENT AGENDA (Action Will be Taken on All Items)
Comm. Henderson moved to approve the consent agenda items #12-16.b.
Comm. Hockaday seconded.
Comm. Hockaday asked for public participation, there was none. The motion passed 4-0.

12. Assessor’s Corrections
   12.a. For Possible Action: Approval of changes on Assessor’s tax roll due to correction in assessments and review of tax roll changes.
   - Secured Factual
   - Unsecured Factual

Secured Property corrections totaled $1,019.63 and Unsecured Factual Corrections totaled $1,162.04.

13. For Possible Action: Approve County Commission Minutes
   13.a. For Possible Action: Approve the December 12, 2022 minutes.

The December 12, 2022 minutes were approved.

13.b. For Possible Action: Approve the December 15, 2022 minutes.

The December 15, 2022 minutes were approved.

14. Contracts
   14.a. For Possible Action: Approve indigent defense conflict counsel agreement with Edgerton Legal, LLC.

15. Grants
   15.a. For Possible Action: Accept the Notice of Subgrant Award from the State of Nevada, Department of Health and Human Services, Division of Public and Behavioral Health, for SFY2023, in the amount of $11,500.00, to continue the Nevada Home Visiting Program in Lyon County.

16. Other Consent Items
   16.a. For Possible Action: Review and accept travel claims.
   - Travel Report 12-1-22 to 12-15-22

Travel claims totaled $2,334.22 as of December 15, 2022.

16.b. For Possible Action: Review and accept claims and financial reports.
   - Claims Report 12-1-22 to 12-15-22
   - Cash Report 12-15-22

The cash balance as of December 15, 2022 was $107,249,755.24. County claims totaled $2,548,611.57 and payroll totaled $1,085,604.90.

**END OF CONSENT AGENDA**

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

17. Assessor
   17.a. For Possible Action: Appoint Michael Glass as Chairman of the Lyon County Board of Equalization.

Comm. Hockaday appointed Michael Glass as Chairman of the Lyon County Board of Equalization.

18. County Manager
   18.a. For Possible Action: Appoint County Commissioners and staff to the following Boards, Commissions, or Committees for calendar year 2023:
   - Comstock Historic District
Debt Management Commission
Dayton Valley Conservation District
Mason Valley Conservation District
Smith Valley Conservation District
Nevada Public Agency Insurance Pool
Public Agency Compensation Trust
Nevada Association of Counties

1. Board of Directors- 1 Commissioner
2. Legislative Committee - Up to 2 Commissioners
3. Public Lands and Natural Resources Committee - Up to 2 Commissioners
Local Emergency Planning Committee
Northern Nevada Development Authority
Nevada WORKS
Walker River Irrigation District
Carson Water Subconservancy District
Lyon County Room Tax Board
Quarterly Jail Inspection
Truckee Canal Safety Commission
Lyon County Regional Transportation Commission
Quad County Legislative Coalition
Carson Area Metropolitan Planning Organization
State Land Use Planning Agency
Nevada Local Justice Reinvestment Coordinating Council
Nevada Commission of the Aging
Intergovernmental Executive Committee (Expiring Term of December 31, 2025)

Comm. Hockaday requested this motion be moved to a later date when they have a five member board.

Comm. Henderson commented that there are some that should be appointed today and the others can wait until February. He recommended that the Quad County Legislative Coalition position should be filled and he would like himself to be appointed as the primary to NACO. Andrew Haskin pointed out that usually the Chair and Vice Chair cover the Quad County Legislative Coalition together.

Comm. Jacobson stated that NACO didn’t need to be filled right now since Comm. Henderson is already the fill in they are covered and would recommend Comm. Henderson for the Tri County (Quad County) Legislative Coalition position.

Josh Foli requested that the Board re-appoint him for Nevada Public Agency Insurance Pool & Public Agency Compensation Trust (Pool Pact) for the full year.

Comm. Jacobson made a motion to appoint Josh Foli for the year to the Nevada Public Agency Insurance Pool & Public Agency Compensation Trust and appoint Comm. Hockaday to the Quad County Legislative Coalition with Comm. Henderson backing him up and to hold off on the rest of the positions until the February meeting with the current positions that are held by County Commissioners, stay status quo and fill in the others as needed.

Comm. Henderson seconded.

Comm. asked for public participation, there was none. Motion passed 4-0.

18.b. For Possible Action: Authorize the County Manager to attend the 2023 National Association of Counties (NACO) Legislative Conference in Washington D.C. February 11-14, 2023 for an approximate cost of $3,500.00 (Requested by Commissioner Hockaday)

Comm. Hockaday explained that he will be unable to attend this year. He reminded that at the last meeting they discussed having two Commissioners attend and can they appoint the two now.
District Attorney Steve Rye stated they cannot discuss who the two will be because it is not on the agenda.

Comm. Henderson made a motion to authorize the County Manager to attend the 2023 National Association of Counties (NACO) Legislative Conference in Washington D.C. February 11-14, 2023 for an approximate cost of $3,500.00


Comm. Hockaday asked for public participation, there was none. Motion passed 4-0.

18.c. For Possible Action: Proclaim the month of January as National Radon Action Month

Comm. Hockaday gave a brief description of the effects of radon. There is a list available of where radon testing kits can be obtained by residents.

Comm. Henderson made a motion to adopt the proclamation declaring January 2023 as National Radon Action Month in Lyon County Nevada.

Comm. Keller seconded. Comm. Henderson asked for public participation, there was none. Motion passed 4-0.

19. Human Resources

19.a. For Possible Action: Discuss the potential appointment of the Interim County Manager in a permanent capacity, potential alternatives thereto, and provide direction to staff including without limitation the preparation of an employment agreement. (Requested by Comm. Henderson) Month (NRAM) in Lyon County. (Requested by Chris Kelly of UNR)

Comm. Henderson stated it is time to evaluate and move forward with the Interim County Manager position or direct staff to prepare a contract for Andrew Haskin to become the County Manager or they can open the position up to applications.

Human Resources Director Eric Milavsky stated Andrew is committed to doing the right things and they would be happy to see him get the contract.

Comm. Hockaday is very happy with the job Andrew has done in the Interim position.

Comm. Keller is in support of this.

Doug Homestead stated Andrew would be an excellent County Manager.

Comm. Henderson made a motion to direct staff to move forward with preparing an employment contract with Andrew Haskin as County Manager.


Gina Lee said it would be wonderful to have Andrew as the County Manager.

Dustin Homan stated Andrew is very responsive as a boss and is very supportive and strongly agrees to move forward with appointing him.

Erin Lopez agreed with all the positive comments and stated that Andrew works very hard, does a lot of due diligence and research, has a lot of meetings and talks with his staff and has her support.

Shayla Holmes stated Andrew is very supportive and helpful. He is very well qualified.

Elain St. John is in support of Andrew as well, he goes above and beyond the call of duty.
Vida Keller had asked Andrew Haskin to step into the position of Interim County Manager. He stepped up and has gone above and beyond every expectation.

Comptroller Josh Foli stated Andrew is a pleasure to work with and he respects his integrity and opinion.

Comm. Hockaday stated that Andrew is dedicated to doing the right thing.

Comm. Hockaday asked for public participation, there was none. Motion passed 4-0.

20. Sheriff

20.a. For Possible Action: Approve the elimination of one vacant Lieutenant position and the creation of one Deputy position and use the additional savings to keep a grant-funded deputy position as the Regional GANG grant funding stops on December 31, 2022.

Sheriff Pope explained that with the restructuring within the department they have combined the positions of Lieutenant and Captain so having the extra Lieutenants is not necessary. They did keep three Lieutenant positions and they will fill in under Captain positions. They will get two Deputies in place of one Lieutenant.

Comm. Jacobson made a motion to approve the elimination of one Lieutenant position and the creation of one Deputy position and use the additional savings to keep a grant-funded deputy position as the Regional GANG grant funding stops on December 31, 2022.

Comm. Henderson seconded. He also confirmed that the GANG unit is the one with Douglas County.

Comm. asked for public participation, there was none. Motion passed 4-0.

20.b. For Possible Action: Approve a contract with Joiner and Associates, LLC in an amount not to exceed $24,500 to provide professional services related to the promotional testing process in the Sheriff’s Office.

Sheriff Pope gave a brief presentation on the promotion process and the requirements. Joiner and Associates will provide a list for prospective promotions and this will keep the bias out of the promotion process. Sparks, Reno, Washoe County and Douglas County all use Joiner and Associates resources.

Comm. Henderson is concerned if other parts of the budget will be undercut to pay for the cost to hire Joiner and Associates LLC. Sheriff Pope stated there is extra money available in their training budget to cover costs.

Comm. Hockaday questioned the six assessors who will be trained and who would the assessors be. Sheriff Pope stated they will be brought in from other agencies by Joiner and Associates.

Comm. Henderson made a motion to approve a contract with Joiner and Associates, LLC in an amount not to exceed $24,500 to provide professional services related to the promotional testing process in the Sheriff’s Office.


Comm. Hockaday asked for public participation, there was none. Motion passed 4-0.

Sheriff Pope thanked all the County employees and Sheriff’s employees for their hard work during the storms.

21. Agenda Requests

Comm. Jacobson requested a follow up on the water meeting that was held in Silver Springs.
Comm. Henderson requested to expand the scheduled grants discussion to include representation at the Federal level and the possibility of the hiring of a firm in Washington D.C. to look after Lyon Counties interests.

Comm. Hockaday requested to revisit property ordinances, maybe a workshop.

22. Commissioner Comments

Comm. Henderson wished everyone a Happy New Year and he looks forward to working with this Commission and getting the vacant seat filled.


23. Closed Session

There was none.

24. Public Participation

There was none.

25. Adjourn

Comm. Hockaday adjourned the meeting at 11:13