

The Honorable Board of Lyon County Commissioners met this day in regular session with the following present: Chairman Bob Hastings, Vice-Chairman Joe Mortensen, Commissioners Greg Hunewill, Don Alt and Ken Gray. Also present: County Manager Jeff Page, District Attorney Steve Rye and Deputy Clerk Donna MacGill.

**1. Roll Call**

Present: Bob Hastings, Joe Mortensen, Greg Hunewill, Don Alt and Ken Gray.

**2. Invocation by Mitch Forster**

Pastor Mitch Forster of the Mason Valley Southern Baptist church gave the Invocation.

**3. Pledge of Allegiance**

**4. Time Certain**

**4.a. TIME CERTAIN FOR 9:00 AM : For Possible Action: Elect the Board of County Commissioners Chair and to fix the term of office for the Chair as required by NRS 244.070**

Comm. Mortensen moved to appointed Comm. Hastings to serve as Chairman for 2018. Comm. Hunewill seconded and the motion passed 5 – 0.

**4.b. TIME CERTAIN FOR 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. Alt moved to appoint Comm. Mortensen to serve as Vice-Chair for 2018. Comm. Hastings seconded and the motion passed 5 – 0.

**5. Public Participation**

There was no public participation.

**6. For Possible Action: Review and adoption of agenda**

Comm. Mortensen moved to approve the agenda as presented. Comm. Alt seconded and the motion passed 5 – 0.

**7. Presentation of awards and/or recognition of accomplishments**

There were no awards or recognitions.

**8. Commissioners/County Manager reports**

County Manager Jeff Page said there will be a meeting to discuss the language for the marijuana ordinance. There will also be discussion regarding the selection of advisory board members and also code enforcement. He discussed an issue at the utilities office regarding somebody video recording employees and their vehicles and has resulted in a criminal investigation. He said we have not heard back from the attorney regarding the Silver Springs Airport Agreement. He and human services are meeting with the Pennington Foundation next week to determine if there are any concerns or issues and will fine tune the requirements of the grant. He discussed easements and drainage concerns and the Cardelli Ditch. There have been meetings with Storey County regarding the flood study and the increased cost. He discussed implementing a drainage system and establishing a funding mechanism to maintain the system in the future. He discussed the difference between an enterprise fund and a general improvement district.

**9. Elected Official's reports**

Sheriff Al McNeil discussed the monthly stat sheets he presented. He said that crashes and fatalities were up in Lyon County in 2017 while violent crimes went down. He said that

Nevada made an arrest in the abduction of a nine month old child from Montana. He discussed domestic violence and other assaultive behaviors. He said that New Years was fairly uneventful; fireworks were the main highlight for any criminal activity.

Comm. Gray acknowledged Deputy McDaniel and Deputy Nathan Cooper who have been nominated by the VFW as Deputies of the Year for Nevada.

**10. Appointed Official's reports**

Lyon County Road Director Dustin Homan explained some of the drainage work they have done to mitigate possible flooding this winter. He has started discussion with the City of Yerington Manager Dan Newell regarding the incorporation of more land in the Mason Valley area. The City of Yerington will potentially be taking over the maintenance of a few of Lyon County's roads and in turn the county will be taking over a couple of roads that the City of Yerington maintains. He will be coming forward with an agreement to present to the board in the near future.

Comm. Alt had questions concerning people who live on non-maintained roads. He would like to have the roads checked to see if roads are passable for emergency vehicles.

There were questions and comments regarding the non-maintained roads in Lyon County.

**11. Advisory Board reports**

**11.a. Silver Springs Advisory Board**  
**Draft** **Minutes**

**11.b. Mound House Advisory Board**  
**Draft** **Minutes**

**CONSENT AGENDA**

**12. For Possible Action: Approve County Commission Minutes**

**12.a. For Possible Action: Approve draft minutes.**  
**December 21, 2017 - Draft Minutes**

**12.b. For Possible Action: Approve draft minutes.**  
**December 7, 2017 - Draft Minutes**

**13. Contracts**

**13.a. For Possible Action: Renewal of the Lease Agreement with Fernley Commerce Center for Lyon County Human Services' Fernley office space for the one year period ending January 1, 2019.**  
**Fernley Commerce Center Lease**

**14. Other Consent Items**

**14.a. For Possible Action: Review and accept claims and financial reports.**  
**Claims Report 12-1-17 to 12-15-17**

The cash balance as of December 15, 2017 was \$51,491,989.30. Claims totaled \$2,546,300.24 and payroll totaled \$1,215,220.09.

**Cash Report 12-15-17**

The cash balance as of December 15, 2017 was \$51,491,989.30.

**14.b. For Possible Action: Review and accept travel claims.**  
**Travel Report 12-1-17 to 12-15-17**

Travel Claims totaled \$4,908.39.

**14.c. For Possible Action: Approve Lyon County Department of Transportation Drug and Alcohol Testing Policy  
Lyon County DOT Drug and Alcohol Testing Policy January 2018**

Comm. Mortensen moved to approve the consent agenda, Items #12 through #14, as presented. Comm. Gray seconded and the motion passed 5 – 0.

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

**PUBLIC HEARING ON PLANNING ITEMS**

**15. Planning**

**15.a. For Possible Action: CASEY, MICHAEL A & CLAUDIA C – ZONE CHANGE - Request to change the zoning from RR-5 (Rural Residential - 20 acre minimum) to E-2 (Single Family, Non-Rural Residential – One-Half Acre minimum) on an approximately 75.71 total acre parcel; located at 117 Quilici Rd., Dayton (APN 16-321-03) PLZ-17-0040.  
Staff Report**

Planner Rob Pyzel presented. He explained the property is located on the south side of the Carson River in Dayton. He explained the findings of the Planning Commission. The request is compatible with the surrounding properties. The infrastructure necessary to service this subdivision is available. He said it is a logical development for this area. The planning commission recommended approval with the findings and conditions.

There were questions regarding the view easements on other lots.

County Manager Jeff Page explained NRS 278 that was basically created in the mid 1980's. Mr. Page concurs with staff and the planning commission. He strongly encouraged the board to move forward with this issue.

The commissioners expressed questions and comments.

Professional City Planner Greg Evangelatos, representing the Casey Family, explained the changes they have made due to the commissioners' request. He said they endorse the recommendations of staff.

**Public Comment:**

Joseph Donato said his property abuts the property in question. He stated his concerns regarding schools, emergency services and the ingress and egress from that side of the Carson River. There have been recent problems on the Dayton Bridge causing the traffic to back-up considerably.

Charles Giles said this will have an impact on his property and noted the impact on the existing services. He feels this will impact his taxes. His main concern is one way in and one way out. He would build another bridge before building more homes.

Susan Pegelow had questions on the type of homes that would be built. She and her husband are against the zone change.

There were questions and comments regarding the addition of another bridge in Dayton.

Comm. Mortensen moved to approve the request to change zoning for MICHAEL A. & CLAUDIA C. CASEY from RR-5 (Rural Residential - 20 acre minimum) to E-2 (Single Family, Non-Rural Residential – One-Half Acre minimum) on an approximately 75.71 total acre parcel; located at 117 Quilici Rd., Dayton (APN 16-321-03) PLZ-17-0040, with the four findings as follows:

- A. The zone change is in substantial compliance with and promotes the Master Plan goals, objectives and actions.

- B. The proposed zoning promotes development that is commensurate with the character and current use of the surrounding land and will not have detrimental impacts to other properties in the vicinity.
- C. The proposed zoning is timely and contributes to the orderly and efficient arrangement of transportation and other public facilities and services.
- D. The proposed zoning will not negatively impact existing or planned public services or facilities and will not adversely impact the public health, safety and welfare.

Comm. Alt seconded and the motion passed 5 – 0.

**15.b. For Possible Action: REIDO FARMS, LLC – DIVISION OF LAND INTO LARGE PARCELS - FINAL MAP - Request for a Division of Land into Large Parcels Final Map pursuant to Chapter 11.06 of the Lyon County Code and NRS 278.471 et seq. The proposed map would divide the approximately 120.46 total acre property into 2 parcels, the smallest being approximately 40.36 acres in size; located at 121 Bowman Lane, Yerington, NV (APN 14-181-13) PLZ-17-0042.  
Staff Report**

Planner Rob Pyzel said it is a request for a tentative map waiver and a final map approval for a division of land into large parcels. The property is located in Mason Valley. The planning commission recommended approval of the waiver and the final map. He said this is 120 acres in size and the surrounding property is 60 acre parcels. The planning commission recommended approval with the findings and conditions.

Rick Christian of Denson Surveying was present to answer any questions the commissioners may have.

Comm. Mortensen moved to approve the request for a Division of Land into Large Parcels Final Map for REIDO FARMS, LLC pursuant to Chapter 11.06 of the Lyon County Code and NRS 278.471 et seq. The proposed map would divide the approximately 120.46 total acre property into 2 parcels, the smallest being approximately 40.36 acres in size; located at 121 Bowman Lane, Yerington, NV (APN 14-181-13) PLZ-17-0042, as presented with the finding as follows:

- A. Is consistent with the applicable provisions of Lyon County Code and the Nevada Revised Statutes;
- B. Will not be detrimental to the public health, safety, convenience and welfare; and
- C. Will not result in material damage or prejudice to other property in the vicinity.

and the 12 conditions as follows:

1. The applicant shall comply with all Federal, State, County and special purpose district regulations.
2. The applicant shall make corrections of any engineering or drafting errors and other technical map corrections to the satisfaction of the County Engineer and Planning Director prior to submitting the map for recordation.
3. The applicant shall pay the actual costs for County Engineer plan and map checking and County Inspector site improvement inspection fees, in accordance with the adopted County fee resolution in effect at the time, and provide proof of payment to the Planning Department prior to map recordation.
4. The final map shall identify the following:
  - a. All roads or easements that exist or as they may be proposed by the person who plans to divide the land;
  - b. Any easements for public utilities that exist or are proposed;
  - c. Any existing easements for irrigation or drainage; and
  - d. Any normally continuously flowing watercourses, specifically the West Hyland Ditch located on Parcel A; and any easements and rights-of-way or other property interests necessary to implement and maintain any water conveyance and delivery system required by any rule or regulation of the local Irrigation District; and
  - e. Any existing road or easement that the owner does not intend to dedicate.
5. The corners of each lot are set by a professional land surveyor.
6. The form and content of the final map shall be in accordance with Title 11.06.04.

7. The applicant shall obtain all necessary approvals and encroachment permits, and coordinate and comply with any requirements placed on this division of land into large parcels map by the Lyon County Public Works Department.
8. The following items are required of all development and are provided for informational purposes:
  - a. All septic systems must be inspected and approved by the State Health Department or appropriate agency.
  - b. All construction shall comply with all applicable building and fire code requirements. Building permits shall be issued in compliance with Title 10 and 11 of the Lyon County Code.
  - c. Structures placed on these parcels shall adhere to the County's site and setback standards for the RR-5 zoning district as it applies to each parcel.
  - d. Distinct and legible "temporary" addresses are required of any structures under construction until such time as permanent address numbers are installed and posted.
  - e. No lot shall be offered for sale or sold until the final map has been approved and recorded.
  - f. All debris on construction sites must be contained and removed periodically as required for safety and cleanliness to the satisfaction of the Lyon County Building Department.
9. All property taxes must be paid in full through the end of the fiscal year (June 30) prior to recordation of any final map.
10. All agricultural deferred taxes must be paid, prior to recordation of any final map, at the discretion of the Lyon County Assessor.
11. Required recording fees to be paid at time of recording map.
12. The applicant shall provide the final map of division of land into large parcels to the Lyon County GIS Coordinator in form and format compatible with the County geographical information system (GIS) pursuant to 11.05.09 of the Lyon County Code. The scale of the site plan, improvements, monuments and other items shall be in model space correctly oriented to coordinate system as established by the GIS Coordinator. Cover sheet and standard details need not be included.

Comm. Gray seconded and the motion passed 5 – 0.

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

**REGULAR AGENDA**

**16. County Manager**

**16.a. For Possible Action: Appoint County Commissioners and staff to the following Boards, Commissions, or Committees for calendar year 2018:**

- Comstock Historic District** – Comm. Gray
- Debt Management Commission** – Comm. Mortensen
- Dayton Valley Conservation District** – Comm. Gray
- Mason Valley Conservation District** – Comm. Hunewill
- Smith Valley Conservation District** – Comm. Hunewill
- Nevada Public Agency Insurance Pool** – County Manager Josh Foli
- Public Agency Compensation Trust** – County Manager Josh Foli
- Nevada Association of Counties -**
  - 1. Board of Directors- 1 Commissioner** – Comm. Hunewill

Comm. Gray moved to appoint Comm. Hunewill to the NACO Board of Directors. Comm. Mortensen seconded and the motion passed 4 – 1. Comm. Alt was opposed.

- 2. Legislative Committee - Up to 2 Commissioners** – Comm. Gray and Comm. Hunewill
- 3. Public Lands and Natural Resources Committee-Up to 2 Commissioners** - Comm. Alt and Comm. Gray
- Local Emergency Planning Committee** – Comm. Gray
- Northern Nevada Development Authority** – County Manager Jeff Page and Comm. Gray
- Nevada WORKS** – Comm. Alt

Comm. Mortensen moved to appoint Comm. Alt to Nevada WORKS. Comm. Gray seconded and the motion passed 5 – 0.

**Walker River Irrigation District** – Comm. Hunewill  
**Carson Water Subconservancy District** – Comm. Gray  
**Lyon County Room Tax Board** – Comm. Mortensen  
**Quarterly Jail Inspection** – Comm. Hastings  
**Truckee Canal Safety Commission** - Comm. Mortensen  
**Lyon County Regional Transportation Commission** – Comm. Alt  
**Quad County Legislative Coalition** – Comm. Mortensen and Comm. Hastings  
**Carson Area Metropolitan Planning Organization** – Comm. Hastings

The commissioners voted 5 – 0 to appoint the commissioners and staff, as stated by Chairman Hastings, to the various boards.

**16.b. For Possible Action: Approve adding new kennels to the Animal Services office building project with additional funding to come from the Capital Improvements Fund.**

Comptroller Josh Foli presented and said the county is in need of additional kennels. The funding had been saved up and it will probably be beneficial to do the office and the kennels at the same time. He said the old kennels will be retained. He said the master planning has been done.

Jeff Page said we have been dealing with the animal services facilities for 30 years and would like to see the project move forward quickly. He commented on some of the challenges they have had. The new facilities director will be starting on Monday. His background has been mainly in project management.

The commissioners had questions and comments.

Comm. Gray moved to approve adding new kennels to the Animal Services office building project with additional funding to come from the Capital Improvements Fund. Comm. Mortensen seconded and passed the notion passed 5 – 0.

**RECESS TO RECONVENE AS WILLOWCREEK GENERAL IMPROVEMENT DISTRICT BOARD**

**17. Public Participation**

There was no public participation.

**18. For Possible Action: Review and Accept Claims and Financial Report**  
**18.a. For Possible Action: Review and accept claims and financial reports.**  
**Claims Report 12-1-17 to 12-15-17**  
**Cash Report 12-15-17**

The cash balance as of December 15, 2017 was \$326,118.95. Claims totaled \$710.69; there was no payroll.

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

**19. Public Participation**

There was no public participation.

**ADJOURN TO RECONVENE AS MASON VALLEY MOSQUITO ABATEMENT DISTRICT BOARD**

**20. Public Participation**

There was no public participation.

**21. For Possible Action: Review and Accept Claims and Financial Report**

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

**Claims Report 12-1-17 to 12-15-17**

**Cash Report 12-15-17**

The cash balance as of December 15, 2017 was \$356,280.76. Claims totaled \$260.42 and payroll totaled \$3,679.53.

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

**22. Public Participation**

There was no public participation.

**ADJOURN TO RECONVENE AS WALKER RIVER WEED CONTROL DISTRICT BOARD**

**23. Public Participation**

There was no public participation.

**24. For Possible Action: Review and Accept Claims and Financial Report**

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

**Claims Report 12-1-17 to 12-15-17**

**Cash Report 12-15-17**

The cash balance as of December 15, 2017 was \$135,852.94. Claims totaled \$569.00; there was no payroll.

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

**25. Public Participation**

There was no public participation.

**ADJOURN TO RECONVENE AS CENTRAL LYON COUNTY VECTOR CONTROL DISTRICT BOARD**

**26. Public Participation**

There was no public participation.

**27. For Possible Action: Review and Accept Claims and Financial Report**

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

**Claims Report 12-1-17 to 12-15-17**

**Cash Report 12-15-17**

The cash balance as of December 15, 2017 was \$283,396.03. There were no claims or payroll. Comm. Gray moved to approve the claims and financial report as presented. Comm. Mortensen seconded and the motion passed 5 – 0.

**28. Public Participation**

There was no public participation.

**ADJOURN TO RECONVENE AS SILVER SPRINGS GENERAL IMPROVEMENT DISTRICT BOARD**

**29. Public Participation**

There was no public participation.

**30. For Possible Action: Review and Accept Claims and Financial Report**

**30.a. For Possible Action: Review and accept claims and financial reports.  
Claims Report 12-1-17 to 12-15-17  
Cash Report 12-15-17**

The cash balance as of December 15, 2017 was \$1,704,127.77. Claims totaled \$11,406.16; there was no payroll.

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

**31. Public Participation**

There was no public participation.

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

**32. Commissioner Comments**

Comm. Mortensen said he appreciates the work that the commissioners do on the various committees and boards.

Comm. Hunewill and Comm. Gray wished everyone a Happy New Year.

**33. Closed Session pursuant to NRS 241.015(3)(b)(2) - Closed Session to receive information from the District Attorney 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 (requested by District Attorney)**

**34. Public Participation**

There was no public participation.

**35. Adjourn**

The meeting was adjourned.

**LYON COUNTY BOARD OF COMMISSIONERS**

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**BOB HASTINGS, Chairman**

**ATTEST**

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**NIKKI BRYAN, Lyon County Clerk/Treasurer**