

The Honorable Board of Lyon County Commissioners met this day in regular session with the following present: Chairman Bob Hastings, Vice-Chairman Joe Mortensen, Commissioner Greg Hunewill, Vida Keller and Commissioner Ken Gray. Also present: County Manager Jeff Page, Deputy District Attorney Olga Walther and Clerk and Treasurer Nikki Bryan.

**1. Roll Call**

Present: Bob Hastings, Joe Mortensen, Ken Gray, Greg Hunewill and Vida Keller.

**2. Invocation**

County Manager Jeff Page gave the Invocation.

**3. Pledge of Allegiance**

**4. Time Certain**

**4.a. Time Certain at 9:15 AM: For Possible Action: Presentation from the Boys and Girls Club of Mason Valley.**

The Director of the Boys and Girls Club of Mason Valley, Travis Crowder, gave a presentation of the current organization statistics, grants, fundraisers and future needs. He reviewed the Yerington, Silver Springs, Dayton and Mineral County services at these sites. The William N. Pennington building in Yerington, Nevada has opened and is offering services to the teenage population.

Comm. Hastings encourages the business owners to support the organization.

County Manager Jeff Page commented on the struggles and history of the club and how the club overcame those obstacles.

**4.b. Time Certain for 9:45 AM Presentation by Nevada Copper on the status of the Pumpkin Hollow Mining Project**

Presentation was given by Tim Dhyr from Nevada Copper on the status of the Pumpkin Hollow Mining Project. Also in attendance to present were CEO Matt Gili and the Vice President of Operations David Swisher.

**5. Public Participation**

There was no public participation.

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

Comm. Mortensen moved to adopt the agenda as presented. Comm. Gray 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**

Comm. Gray discussed the highway expansion and the turn lane for access to the market in Stagecoach. He wondered if it is accessible. He wants to communicate with NDOT that the business needs to be accessible during construction.

Comm. Keller stated NDOT does have the maps to show that there are public roads to service the business.

County Manager Jeff Page gave an update of the Task Force meeting he had with staff. They are finalizing a list of participants and an agenda.

The garbage franchise with Waste Management will be coming forward as an update.

The Sheriff's Office and the DA's Office are working on an ordinance/code update for the brothels.

He gave a status report on cases and progress for Code Enforcement.

Jeff addressed Legislative updates on diesel tax, costs and revenue. He also stated that Comptroller Josh Foli negotiated an amendment to SB36 and Jeff Page testified. Also, changes to the Open Meeting Law requires telephone/video conferencing be available for the community. Currently, we do not have those capabilities.

The Silver Springs Airport is moving forward with the lease.

Community Development, Jeff Page and Farr West had a meeting for a Plan Review Process and timelines. Planner Tammy Kinsley is applying as a Flood Plain Manager that will help facilitate with Applicants.

Comm. Gray questioned why the Federal Grant Funding for the Airport has taken so long.

County Manager Jeff Page gave a brief overview of challenges and how they are working with what they have and it is a time consuming process. They have not been able to at this point achieve compliance for the Silver Springs Airport Federal Grant Funding for this board's approval but they have been working with a representative to do so.

Comptroller Josh Foli addressed the concern that the County is mindful to stay in compliance with the Federal Grant Funding not only with the airport. If we haven't satisfied the comments and approved the Airport Grant, we could lose other Federal Grant Funding that would impact the county as a whole and have a significant financial impact also.

Comm. Keller questioned if we meet the guideline does it have to come back to the board for approval.

County Manager Jeff Page states that it will because of the significant changes.

Comm. Hastings addresses the public that they can find and follow the bills online at the Legislative website.

#### **9. Elected Official's reports**

No Elected Official reports were given.

#### **10. Appointed Official's reports**

Utilities Director David Bruketta reported on the two issues the Dayton Waste Water Treatment Plant with the sewer and disposable capacity. The department did receive a permit for the soft plant. They should be able to write Will Serves again in a couple of months.

The system will be shut down for approximately five hours due to replacing a fire hydrant. Notices will go out to the homeowners affected on Ring Road in Dayton.

Comm. Hastings asks how this will affect applicants with the Will Serves.

Utilities Director David Bruketta they are not issuing Will Serves until the soft plant can accommodate the need.

Comm. Hastings asked Planner Rob Pyzel about the application process and addressing the water.

Planner Rob Pyzel stated that at the round tables the water issues are discussed and the developer is alerted to the status.

#### **11. Advisory Board reports**

Silver Springs Advisory Board Chairman Scott Keller reports that Kimberly Burgess with the U.S. Census Bureau gave a presentation for the importance of volunteers within the County to help. The SSAB had a Planning item for Zoning that will coming before this board and they recommended bringing in the item into compliance.

He received a request to have a presentation from staff to come to present on an update and information on the status of the Waste Water Treatment Plant. He will contact staff to schedule.

Scott Keller requests direction from the board about the Community Plans and would like to move forward with that process. He reviewed several concerns and needs in the Silver Springs Community.

### **CONSENT AGENDA**

Comm. Hastings asks for any changes from the board or staff for the consent agenda.

Comm. Hunewill recuses himself from voting on Item #13 since he was absent at the last meeting.

Comm. Hastings requests to remove Item #13 from the consent agenda and be voted on separately.

**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.**

**-Comm Delete 2-7-19 Unsecured Factual.**

**-Comm Delete 2-7-19 Unsecured Uncollectable.**

Unsecured Property factual corrections totaled \$58.80 and Unsecured Property Uncollectable totaled \$690.86.

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

**13.a. For Possible Action: Approve the January 17, 2019 Minutes.**

**- January 17, 2019 Minutes**

The January 17, 2019 Lyon County Commissioners' minutes were approved.

**14. Grants**

**14.a. For Possible Action: Accept grant award for funding from Aging and Disability Services Division (ADSD), Aging and Disability Resource Center (ADRC) in the amount of \$35,230.00.**

**- FY18 ADRC-MFP Notice of Grant Award**

**14.b. For Possible Action: Approve interlocal agreement with the State of Nevada, Department of Transportation (NDOT), to purchase handheld ticket devices in the amount of \$75,842 and accept a federal grant from NDOT to fund \$72,050 of the purchase and authorize the Sheriff to sign.**

**- NDOT Interlocal Agreement for Brazos Handheld Ticket Devices**

**15. Other Consent Items**

**15.a. For Possible Action: Review and accept travel claims.**

**- Travel Report 1-1-19 to 1-15-19**

Travel claims totaled \$ 2,473.79.

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

**- Claims Report 1-1-19 to 1-15-19**

**- Cash Report 1-15-19**

The cash balance as of January 15, 2019 was \$58,789,126.13. County claims totaled \$955,204.12 and payroll totaled \$1,252,370.74.

**15.c. For Possible Action: Approve an augmentation for the Retiree Health Benefits Fund in the amount of \$1,586.**

**- Lyon County Retiree Health Benefits Fund Augmentation Resolution 2019**

Comm. Mortensen moved to approve the consent agenda, Items #12.a through #15.c. minus Item #13, as presented. Comm. Gray seconded and the motion passed 5 - 0.

Comm. Mortensen moved to approve the County Commission meeting minutes. Comm. Gray seconded and the motion passed by a majority vote, 4 - 0, Comm. Hunewill recused.

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

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

**16. Planning**

**16.a. For Possible Action: CINDERLITE TRUCKING CORP. / CROSBY NV LAND, LLC -SPECIAL USE PERMIT MODIFICATION - Request to modify an existing Special Use Permit issued in April of 2015 (PLZ-15-0007), for the operation of a sand materials pit, by allowing crushing and screening and by increasing the project site from 40 acres to 120**

**acres, on a portion of approximately 952.66 total acre parcel; located south of Highway 50 at Stagecoach Drive, Stagecoach (APN 15-531-17) PLZ-18-0070  
- Staff Report**

Planner Rob Pyzel presented the application, findings, and the revised conditions. Staff recommended approval of the Special Use Permit Modification.

Comm. Keller asked if there is enforcement with the condition of hours of operation.

Planner Rob Pyzel said if there is complaint made against the applicant it will be addressed and verified if it is a valid complaint. The Code Enforcement office can assist as needed.

Comm. Hastings asked for any Public Participation or further comment from the board, there was none.

Comm. Mortensen moved to approve the Request for a Special Use Permit for CINDERLITE TRUCKING CORP. / CROSBY NV LAND, LLC –SPECIAL USE PERMIT MODIFICATION - Request to modify an existing Special Use Permit issued in April of 2015 (PLZ-15-0007), for the operation of a sand materials pit, by allowing crushing and screening and by increasing the project site from 40 acres to 120 acres, on a portion of approximately 952.66 total acre parcel; located south of Highway 50 at Stagecoach Drive, Stagecoach (APN 15-531-17) PLZ-18-0070 as presented and the 10 conditions as follows:

1. The permit will be limited to aggregate materials removal within the 120-acre portion of the property identified on the site plan submitted with PLZ-18-0070.
2. Hours of operation are limited to 6:00 a.m. to 6:00 p.m. Monday through Saturday.
3. The applicant shall comply with all County, State and federal requirements.
4. The applicant shall prepare an operations and reclamation plan that meets or exceeds the performance requirements established in the Operations Plan dated October 15, 2004 submitted by Paragon and Associates, Inc.
5. Excavation and grading shall be accomplished in such a fashion as to maintain the natural drainage and lessen the undesirable retention of water.
6. The applicant shall provide evidence of the approval of a dust permit from the Nevada Division of Environmental Protection, or document how the operation is exempt from such requirements in an Operation Plan to the satisfaction of the Community Development Director.
7. The applicant shall comply with the requirements of the Nevada Department of Transportation regarding encroachments and permits for access to a state highway.
8. No advertising signage is permitted in conjunction with the issuance of the special use permit.
9. The operator of the aggregate pit shall maintain a Lyon County business license.
10. No change in the terms and conditions of the special use permit, as approved shall be undertaken without first submitting the changes to Lyon County and having them modified in conformance with Lyon County Code.

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

**16.b. For Possible Action: WALKER RIVER MEAT PROCESSING / LASSEN MEAT PROCESSING, LLC – REVOCATION OF SPECIAL USE PERMIT – to operate a multi-species, meat processing facility including structures for processing and shipping meats; holding corrals; rendering plant; pet food production; feed barns and warehouses; hog, sheep & goat production; agricultural crop production; hydroponic growing structures; onsite co-generation/bio-digester plant; water treatment plant; water reservoirs; and possible reserve for a university campus; all on an approximately 1712.50 total acre parcel; located off of Sierra Way, Wabuska, in Mason Valley (APN 14-091-09) PLZ-11-0027  
- Staff Report**

Planner Rob Pyzel presented the application, findings and recommended revocation of the Special Use Permit.

Comm. Hastings asks for any Public Participation or further comment from the board, there was none.

Comm. Mortensen moved to approve the Request to Revoke a Special Use Permit for WALKER RIVER MEAT PROCESSING / LASSEN MEAT PROCESSING, LLC – REVOCATION OF SPECIAL USE PERMIT – to operate a multi-species, meat processing facility including structures for processing and shipping meats; holding corrals; rendering plant; pet food production; feed barns and warehouses; hog, sheep & goat production; agricultural crop production; hydroponic growing structures; onsite co-generation/bio-digester plant; water treatment plant; water reservoirs; and possible reserve for a university

campus; all on an approximately 1712.50 total acre parcel; located off of Sierra Way, Wabuska, in Mason Valley (APN 14-091-09) PLZ-11-0027

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

**\*\*END OF PLANNING APPLICATIONS\*\***  
**REGULAR AGENDA - (Action will be taken on all items unless otherwise noted)**

**17. Board Appointments and Resignations**

**17.a. For Possible Action: Appoint up to one member to the Silver Springs Advisory Board, with a term expiring December 31, 2020**  
**- Stacy Raymond Sell Application**

Comm. Hastings asked for any Public Participation or further comment from the board and there was none.

Comm. Keller moved to appoint Stacy Raymond Sell to the Silver Springs Advisory Board, with a term expiring December 31, 2020 Comm. Gray seconded and the motion passed 5 – 0.

**17.b. For Possible Action: Appoint up to one member to the Dayton Regional Advisory Board, with a term expiring December 31, 2019.**  
**- Mark Skovira Application**  
**- Lisa DeForest Application**

Comm. Hastings asked for any Public Participation or further comment from the board and there was none.

Comm. Gray moved to appoint Mark Skovira to the Dayton Regional Advisory Board, with a term expiring December 31, 2019 Comm. Mortensen seconded and the motion passed 5 – 0.

**18. County Manager**

**18.a. For Possible Action: Approve the Citizen Advisory Board Handbook of 2019.**  
**- Draft CAB Handbook 2019**  
**- CAB Handbook 2018**  
**- Citizens Advisory Boards Bylaws**

County Manager Jeff Page requested approval of the Citizen Advisory Board Handbook of 2019.

Comm. Keller and Comm. Hunewill asked if the Bylaws are current.

County Manager Jeff Page stated that today we are only approving the Handbook; the Bylaws can be approved or revised at a later date.

Comm. Hastings opened the meeting for public comment.

**Public Comment:**

Scott Keller stated that from his understanding of Open Meeting Law, “Old Business” cannot listed in the Bylaws.

Comm. Hastings closed public comment.

Comm. Mortensen moved to approve the Citizen Advisory Board Handbook of 2019. Comm. Keller seconded and the motion passed 5 – 0.

**18.b. For Possible Action: Accept the TECHNICAL REPORT UCED 2018/19-12 A REVIEW OF THE NOVEMBER 19, 2018 LYON COUNTY CITIZEN ADVISORY BOARD WORKSHOP and to provide the County Manager with direction as what elements of the report the Board of Commissioners wants implemented.**  
**- Email from Frederick A. Steinmann**  
**- A Review of the November 19, 2018 Lyon County Citizen Advisory Board Workshop - UCED Technical Report**

County Manager Jeff Page requested the board to accept the report and to provide staff with a direction moving forward.

Comm. Mortensen moved to Accept the TECHNICAL REPORT UCED 2018/19-12 A REVIEW OF THE NOVEMBER 19, 2018 LYON COUNTY CITIZEN ADVISORY BOARD WORKSHOP and to provide the County Manager with direction as what elements of the report the Board of Commissioners wants implemented. Comm. Keller seconded and the motion passed 5 – 0.

**18.c. For Possible Action: Propose an ordinance to adopt the 2018 Edition of the International Building Code, International Residential Code, International Mechanical Code, Uniform Mechanical Code, Uniform Plumbing Code, International Fuel Gas Code, International Energy Conservation Code, International Existing Building Code, International Swimming Pool And Spa Code, 2017 Edition National Electrical Code, the 2018 Northern Nevada Amendments, the 2018 International Fire Code and the 2018 Northern Nevada Amendments to the 2018 International Fire Code each of which are to become effective July 1, 2019.**

- 2018 NNICC Amendments Final Document
- Northern Nevada Amendments to the 2018 International Fire Code
- Ordinance Amending Lyon County Code Title 15

County Manager Jeff Page stated the importance of approving the updated building codes in the event of a fire code issue.

Comm. Keller requested to view the highlights of the changes of the document and these are the only changes.

Comm. Hunewill asks why the manometer is done by a Washoe County Certificate and also if the document was complete.

Dan Summers from Farr West reviewed with the board how the updates were made and by whom. He also addressed Comm. Keller's concern and why the changes are relatively minor. Washoe County had more resources for the manometer testing. Some of the references are in the Building Code Book and not in the document presented.

Comm. Gray questioned how this affects the current construction?

County Manager Jeff Page said it will only affect the new construction unless the contractor updates the current construction to the new code.

Comm. Keller stated that the adoption of these codes can help insurance rates and can protect the community.

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

Comm. Gray proposed the ordinance to adopt the 2018 Edition of the International Building Code, International Residential Code, International Mechanical Code, Uniform Mechanical Code, Uniform Plumbing Code, International Fuel Gas Code, International Energy Conservation Code, International Existing Building Code, International Swimming Pool And Spa Code, 2017 Edition National Electrical Code, the 2018 Northern Nevada Amendments, the 2018 International Fire Code and the 2018 Northern Nevada Amendments to the 2018 International Fire Code each of which are to become effective July 1, 2019.

**18.d. For Possible Action: Propose an ordinance amending the Lyon County Code Title 1 Administrative; By amending, Chapter 7 County Manager; Sub-chapter 03 by adding Section D and providing for the severability, constitutionality and effective date thereof; and other matters properly relating thereto.**

- Lyon County Code 1-07 County Manager Amendment

County Manager Jeff Page reviewed the ordinance amending the Lyon County Code, Title 1.

Comm. Hastings asked the board and the County Manager if the chair should appoint a person into the position to stand in as the County Manager or if the chair should stand in that position before the next meeting.

County Manager Jeff Page stated that the Departments are capable of running for the time before a board meeting could be scheduled, but the language can be changed if the board directs it to be.

Comm. Keller commented that she recommends the wording as written.

Comm. Gray recommended having a person appointed until there is a board meeting.

Comptroller Josh Foli suggested that if the board requests to have the wording changed, to have the board chair appoint a person in the interim basis as needed until a special meeting could be scheduled.

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

Comm. Keller proposed an ordinance amending the Lyon County Code, Title 1 Administrative; By amending, Chapter 7 County Manager; Sub-chapter 03 by adding Section D and providing for the severability, constitutionality and effective date thereof; and other matters properly relating thereto.

**19. District Attorney**

- 19.a. For Possible Action: Propose Ordinance Amending Lyon County Code Title 3, Chapter 2, Planning Commission, Sections 2 and 3, to include compensation and expenses of the planning commission, and providing other matters property relating thereto.**  
- 3.02.02 Planning Commission Compensation Ordinance  
- NRS 278

County Manager Jeff Page presented to the board the proposed ordinance amending Lyon County Code, Title 3, Chapter 2, Planning Commission, Sections 2 and 3, to include compensation and expenses of the planning commission.

Comm. Hunewill asked for the definition of public office to confirm that the Planning Commission members cannot hold any other public office. A Planning Commission member cannot sit on the Library Board.

County Manager Jeff Page agreed that they cannot sit on any other boards. He will verify this with District Attorney Steve Rye.

Comm. Hastings recommends addressing the public office and the Planning Commission at another date.

Comm. Mortensen proposed Item #19.A as presented, an ordinance amending Lyon County Code Title 3, Chapter 2, Planning Commission, Sections 2 and 3, to include compensation and expenses of the planning commission, and providing other matters property relating thereto.

**RECESS TO RECONVENE AS WILLOWCREEK GENERAL IMPROVEMENT 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 1-1-19 to 1-15-19  
- Cash Report 1-15-19

The cash balance as of January 15, 2019 was \$372,206.39. Claims totaled \$24,101.66; 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.

**22. Public Participation**

There was no public participation.

**ADJOURN TO RECONVENE AS MASON VALLEY MOSQUITO ABATEMENT 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 1-1-19 to 1-15-19
- Cash Report 1-15-19

The cash balance as of January 15, 2019 was \$453,503.74. Claims totaled \$34.20 and payroll totaled \$ 3,804.23.

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

## **25. Board Reports**

- 25.a. Mason Valley Mosquito Abatement District**
- District Manager's Report, September 2018**

Comm. Hastings acknowledged the District Manager's report and asked for comments from the board.

Comm. Mortensen moved to approve the Mason Valley Mosquito Abatement District Report. Comm. Gray seconded and the motion passed 5 – 0.

## **26. Public Participation**

There was no public participation.

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

## **27. Public Participation**

There was no public participation.

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

- 28.a. For Possible Action: Review and accept claims and financial reports.**
- Claims Report 1-1-19 to 1-15-19**
- Cash Report 1-15-19**

The cash balance as of January 15, 2019 was \$129,237.23. Claims totaled \$0 and 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.

## **29. Public Participation**

There was no public participation.

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

## **30. Public Participation**

There was no public participation.

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

- 31.a. For Possible Action: Review and accept claims and financial reports.**
- Claims Report 1-1-19 to 1-15-19**
- Cash Report 1-15-19**

The cash balance as of January 15, 2019 was \$ 319,660.10. Claims totaled \$0; 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.

## **32. Public Participation**

There was no public participation.

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



**33. Public Participation**

There was no public participation.

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

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

- Claims Report 1-1-19 to 1-15-19

- Cash Report 1-15-19

The cash balance as of January 15, 2019 was \$2,389,700.56. Claims totaled \$8,073.70; there was no payroll.

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

**35. Public Participation**

There was no public participation.

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

**36. Commissioner Comments**

Comm. Gray requested Title 7 regarding Animal Control to be agenized.

**37. Closed Session pursuant to NRS 241.015(3)(b)(2) - Go into closed session, pursuant to NRS 241.015(3)(b)(2), 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, and pursuant to NRS Chapter 288.220, to receive a report on the status of ongoing labor negotiations; and direct staff accordingly. (For possible action)**

Comm. Hastings closed the meeting for closed session.

**38. Public Participation**

There was no public participation.

**39. Adjourn**

Comm. Hastings adjourned the meeting.

**40. Sheriff**

Comm. Hastings stated that Item #40 was a clerical error on the agenda.

**LYON COUNTY BOARD OF COMMISSIONERS**

  
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**BOB HASTINGS, Chairman**

**ATTEST**

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