Board of County Commissioners  
Lyon County, Nevada

The Honorable Board of Lyon County Commissioners met this day, Thursday, February 16, 2023 at 9:00 a.m. in the LYON COUNTY ADMINISTRATIVE COMPLEX, 27 S. MAIN STREET, YERINGTON, NV 89447.

1. Roll Call


Absent: None.

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

2. Invocation given by Irene Albritton of First Christian Church

Irene Albritton gave the invocation by Zoom.

3. Pledge of Allegiance

4. Public Participation

Comm. Hockaday asked for public participation.

Russ Wright of Dayton urged the Board to prioritize consideration of how to increase reclamation of excess water from the Carson River.

5. For Possible Action: Review and adoption of agenda

Comm. Henderson moved to adopt the agenda the agenda as presented, Comm. Jacobson seconded, and the motion passed 4-0.

6. Time Certain
   6.a. Time Certain at 9:00 AM: For Possible Action: Swearing in of appointed County Commissioner.

Tammy Hendrix was sworn in as a County Commissioner.

7. Presentation of awards and/or recognition of accomplishments
   7.a. For Presentation Only: Recognize Deputy Public Guardian, Debby Stevens for her unwavering dedication to service and advocacy for the residents of Lyon County.
Shayla Holmes, Director of Human Services and Public Guardian, explained what a public guardian does and recognized Debby Stevens for her hard work.

Commissioners also recognized Debby.

8. Commissioners/County Manager reports

Comm. Jacobson attended the City Council Meeting for Fernley, appreciated Mayor McIntyre’s “State of the City” type of address, and encouraged Lyon County to hold a similar meeting to give Department Heads a chance to summarize their work, challenges, and goals.

Comm. Keller reported that in Washington, D.C., he met with members of NACo and other attendees, and met with the delegation and senators. He gave an update on Governor Lombardo’s new appointments for multiple positions.

Comm. Henderson said the Commissioners will give a more complete report of the trip to Washington, D.C. at a future meeting. He is encouraged by Congress’ requirement that the newly released ruling on “Waters of the United States” has to have Congressional approval before it can be implemented. Comm. Henderson also reported that County Manager Haskin created and left a briefing book with the delegation and the delegation staff that shows ongoing and planned projects to demonstrate need for Federal funding.

Comm. Hendrix had nothing to report.

Comm. Hockaday attended the Walker River Irrigation District Meeting, and acknowledged irrigation should be close to normal this next year.

County Manager Andrew Haskin reported seeing how other counties are tackling problems, meeting with the congressional delegation, delegation staff, and Senator Cortez Masto twice. Mr. Haskin noted the focus in upcoming months will be on capturing federal dollars for current programs and planned project completion.

With Comm. Tammy Hendrix’ appointment to Commissioner, there is a vacancy on the Planning Commission. Applications for the Planning Commission vacancy will be accepted through March 6, 2023 and will be heard at the Board of County Commissioners Meeting on March 16, 2023. Applications should be submitted to the County Manager’s office to Erin Lopez.

9. Elected Official’s reports

Sheriff Brad Pope reported that on January 3, 2023, a request was made for $24,500.00 to be used for outside agency testing through Joiner & Associates. He advised that the testing was completed and based on testing results, the Department has promoted 6 people. Sheriff Pope stated that the request for additional budget funds for further testing next year has been made.

Comm. Jacobson reported speaking to an officer who was impressed with the new system of promotions.
Comm. Jacobson and Sheriff Pope discussed the release on bail of the perpetrator relating to the recent standoff across from Fernley high and what the process is of notifying other areas of the perpetrator’s location.

Comm. Hendrix told Sheriff Pope that it’s been nice to see Sheriff’s Office representatives at advisory board meetings interacting with the public.

Comm. Hockaday reported that Wilson Canyon is now open from 5:00 a.m. to 8:00 a.m. and he has observed drivers speeding (80-90 mph) on the way to Wilson Canyon. to make it by the 8:00 a.m. road closure. He expressed concern for residents during the 5:00 p.m. to 8:00 p.m. window due to others speeding.

Sheriff Pope responded that he will notify NHP and Central Command of the increased speeding risks.

10. Appointed Official’s reports

Facilities Director Doug Homestead reported the CDBG grant has been finished for the Mound House Community Center thanks to help from Erin Lopez and Andrew Haskin. He also reported the Dayton electronic park sign has not been not working. The sign is programmed by Mr. Homestead’s assistant, and a sign company advised the sign is not fixable. The Dayton admin assistant currently programs the sign and a sign company has said the sign is not fixable. An electrician from Utilities believes the fried part in the sign is fixable. Mr. Homestead also reported that the Dayton Preservation Society wants to take over the programming and repair of the sign. He advised he will present the agreement when it is drawn up.

11. Advisory Board reports

The Chair of the Silver City Advisory Board, Erich Obermayer (via Zoom), reported the need of a cemetery expansion due to running out of space with only 7 spaces left. He stated that the County parcel adjacent to the cemetery is the planned expansion space, but due to shallow, overburdened topsoil and exposed bedrock, it will be necessary to bring fill and landscape. Mr. Obermayer reported the community has stepped up. Steve Havemann has offered the use of his heavy equipment, but funds will need to be provided for fuel. Dustin Page has offered to donate fill from his Dayton property and Comm. Henderson has advised the Boys and Girls Club may have fill available. A town yard sale is being organized on Memorial Day to raise some of the money for the expansion project.

Mr. Obermayer also discussed planning of addressing handicap access to the community center. Due to safety issues related to the boardwalk, it is planned within the next year to install a handicap ramp from one the end of the porch to a sidewalk leading to the stage and picnic areas.

Comm. Henderson confirmed dirt at the Boys & Girls Club is still available.
Mr. Obermayer requested the Board see the land because the existing cemetery lasted 40-50 years.

Comm. Keller commented that Comstock Mining had previously offered to bring in dirt from the mine in Silver City and do the work on the expansion, but Silver City said no because of contingencies. Comm. Keller stated he wants to discuss the history of the project in the future, because the project could have been completed quicker and cheaper.

CONSENT AGENDA


Comm. Hockaday asked for public participation, there was none, and the motion passed 5-0.

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

Secured Property corrections totaled $950.08.

13. For Possible Action: Approve County Commission Minutes
   13.a. For Possible Action: Approve the February 2, 2023 Minutes.

Comm. Keller requested 21.a. be reviewed and corrected for specific wording of his motion to be reflected in the minutes.

County Manager, Andrew Haskin, recommended removing item 13.a., having the Clerk's Office review the audio, make any and bringing the item back on the next agenda.

Comm. Hockaday asked for public comment, and there was none.

Comm. Keller made the motion to pull 13.a., review, and bring it back next agenda with any corrections if necessary, and Comm. Henderson seconded.

Comm. Hockaday asked for public participation, and there was none.

Comm. Hockaday clarified with District Attorney Steve Rye that the abstention reason of Comm. Hendrix not having been present for the referenced meeting is sufficient.
The motion passed 4-0 with 4 ayes, and one abstention by Comm. Hendrix.

14. Contracts
   14.a. For Possible Action: Approve Agreement with Thomson Reuters for public law library access at the District Court for the five years at the rate of $694 per month the first year, with 4% increases each year thereafter.
   - Thomson Reuters District Court Contract

Comm. Jacobson, District Attorney Steve Rye, and Comptroller Josh Foli discussed where the funds come from and whether there is a cheaper option available. Mr. Foli clarified the funds are paid out of the District Court budget, and that he believes this to be the least expensive option.

Comm. Jacobson moved to approve Agreement with Thomson Reuters for public law library access at the District Court for the five years at the rate of $694 per month the first year, with 4% increases each year thereafter.

Comm. Hockaday asked for public participation, and there was none.

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

15. Grants
   15.a. For Possible Action: Approve grant award amendment to redirect funds in the amount of $13,462 for additional training, from the State of Nevada, Department of Health and Human Services to provide assistance to individuals medically underserved who are at higher risk of exposure, infection, hospitalization.
   -FY23 FRC CDC Health Disparities Sub-award Amendment 1

   15.b. For Possible Action: Accept grant award from the State of Nevada, Division of Public and Behavioral Health, Bureau of Child, Family and Community Wellness in the amount of $305,744.00, to continue the Women, Infants, and Children (WIC) program.
   -FY23 Women Infants and Children Notice of Subaward

   15.c. For Possible Action: Approve Notice of Subaward from the City of Fernley in the amount of $216,000.00 from the American Rescue Plan Act to fund activities and direct services for individuals directly impacted by the COVID-19 pandemic.
   -FY23 Fernley American Rescue Plan Act Notice of Subaward

16. Other Consent Items
   16.a. For Possible Action: Review and accept travel claims.
   - Travel Report 1-16-23 to 1-31-23

Travel claims totaled $3,943.12 as of January 31, 2023.

   16.b. For Possible Action: Review and accept claims and financial reports.
The cash balance as of January 31, 2023 was $111,573,509.73. County claims totaled $1,709,755.80 and payroll totaled $1,128,929.80.

**END OF CONSENT AGENDA**

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

17. Advisory Board
   17.a. For Possible Action: Appoint up to two (2) members to the Debt Management Commission as a member at large, with terms expiring December 31, 2024.
       - Charles Lawson, Application

       Comm. Hockaday asked for public participation, and there was none.


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

   17.b. For Possible Action: Appoint up to six (6) member to the Lyon County Fair Board, with terms expiring December 31, 2026.
       - Charlotte Guthrie, Application
       - Crystal White, Application
       - Mindy Flarr, Application
       - John Fielding, Application

       Comm. Jacobson asked if whole board resigned, and Erin Lopez clarified this Board has at least 12 members.

       Comm. Hockaday asked for public participation, and there was none.

       Comm. Jacobson moved to appoint Charlotte Guthrie, Crystal White, Mindy Flarr and John Fielding to the Lyon County Fair Board, with terms expiring December 31, 2026.

       Comm. Keller second and the motion passed 5-0.

   17.c. For Possible Action: Appoint up to one (1) member to the Mason Valley Mosquito Abatement Advisory Board.
       - Beverly Smith, Application

       Comm. Hockaday asked if there is a term, and Erin Lopez clarified there is no term defined.

       Comm. Hockaday asked for public participation, and there was none.
Comm. Keller moved to appoint Beverly Smith to the Mason Valley Mosquito Abatement Advisory Board.

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

18. County Manager

18a. For Possible Action: Review and approve a contract with Silver State Government Relations for government relations services and to work with Walker and Associates for the remainder of the 82nd Session of the Nevada Legislature, with an estimated cost of $10,000.00 to be funded from a contingency budget transfer.

- SSGR Letter of Intent
- Silver State Government Relations for Government Relations Services Contract

County Manager Andrew Haskin reported letters of intent were sought to bring on a 2nd lobbyist for this Legislative session due to interest in having a handoff from Walker and Associates before their retirement. Mr. Haskin recommended maintaining the Coalition with Storey and Douglas Counties, and advised that Storey County hired Silver State Government Relations.

Will Adler, principal of SSGR, gave background of his firm and expressed interest in representing Lyon County.

Commissioners and staff discussed the cost-effectiveness of having a 2nd representative when services have already been paid for with another representative, the benefits of hiring the same representation as other Coalition counties, previous experiences with SSGR, and the lack of a choice due to only one letter of intent submitted.

Comm. Hockaday requested public participation.

Tony Stevenson (via Zoom), Chair for the Lyon County Democrats, reports being concerned that Walker and Walker has a permanently revoked business license in Nevada according to the Secretary of State and questioned why Lyon County is doing business with a company that has a permanently revoked license?

Comm. Hockaday responded that Mr. Stevenson’s question was not on the agenda for that specific item and declined to respond unless agendized for a future meeting.

Vida Keller (via Zoom) referenced previous long discussions with the BOCC about future budgets, and gave the opinion that hiring SSGR would be overspending tax payer dollars for double the efforts at this time. She stated that just because there is money in contingency, doesn’t mean it needs to be spent.

Comm. Henderson moved to approve a contract with Silver State Government Relations for government relations services and to work with Walker and Associates for the remainder of the 82nd Session of the Nevada Legislature, with an estimated cost of $10,000.00 to be funded from a contingency budget transfer.
The motion died due to no second.

18.b. For Possible Action: To discuss and provide direction to the County Manager regarding legislation for the 82nd session of the Nevada Legislature, Legislation includes Assembly Bill 63, Assembly Bill 68, Assembly Bill 92, Assembly Bill 103, Senate Bill 64, and Senate Bill 81.

County Manager Andrew Haskin requested BOCC opinion on some of the Bills coming forward. He stated he has made a change to how the Bills are listed out for the record.

Comm. Hockaday clarified that a brief synopsis will be given for each bill and how it relates to Lyon County. He stated that discussion of each Bill would occur as needed.

Andrew Haskin gave a synopsis of each Bill as listed:

Assembly Bill 63: AN ACT relating to public safety; requiring the Director of the Department of Transportation and the Director of the Department of Public Safety to review, study and prepare reports regarding certain issues that affect a certain segment of Interstate 80 in this State; and providing other matters properly relating thereto.

Section 1 of this bill requires the Director of the Department of Transportation to conduct a safety study of the segment of Interstate 80 in this State that is between Vista Boulevard in the City of Sparks and the Wadsworth Interchange. Section 1 further sets forth certain requirements for conducting the study, including setting forth certain issues that the Director must study. Section 1 further requires the Director to seek the cooperation and collaboration of the counties of Lyon, Storey and Washoe and the cities of Fernley, Reno and Sparks in conducting the study. Not later than July 1, 2024, the Director is required to prepare and submit a report of the findings and recommendations of the study and the estimated fiscal cost to implement any recommendations to: (1) the Governor; (2) the Office of Finance in the Office of the Governor; (3) the Director of the Legislative Counsel Bureau for transmittal to the 83rd Session of the Legislature; (4) the boards of county commissioners of the counties of Lyon, Storey and Washoe; and (5) the city councils of the cities of Fernley, Reno and Sparks. Finally, section 1 authorizes the Director to accept gifts, grants and donations for the purpose of: (1) funding the study; and (2) expediting the implementation of any traffic safety measure within that segment of Interstate 80. Section 2 of this bill requires the Director of the Department of Public Safety to conduct a safety study to determine the law enforcement resources that are necessary to improve public safety within the segment of Interstate 80 in this State that is between Vista Boulevard in the City of Sparks and the Wadsworth Interchange. Section 2 requires the study, without limitation, to determine the fiscal amount that is necessary to provide increased enforcement of traffic laws to improve public safety within that segment of Interstate 80. Section 2 further requires the Director to seek the cooperation and collaboration of the Department of Transportation and counties of Lyon, Storey and Washoe and the cities of Fernley, Reno and Sparks in conducting the study. Not later than July 1, 2024, the Director is required to prepare and submit a
report of the findings and recommendations of the study and the estimated fiscal cost to implement any recommendations to: (1) the Governor; (2) the Office of Finance in the Office of the Governor; (3) the Director of the Legislative Counsel Bureau for transmittal to the 83rd Session of the Legislature; (4) the boards of county commissioners of the counties of Lyon, Storey and Washoe; and (5) the city councils of the cities of Fernley, Reno and Sparks. Finally, section 2 authorizes the Director to accept gifts, grants and donations for the purpose of funding the study.

Assembly Bill 68: AN ACT relating to juvenile justice; revising the manner in which the assessment imposed on certain counties for the operation of a regional facility for the treatment and rehabilitation of children is calculated; and providing other matters properly relating thereto.

Existing law authorizes a juvenile court to commit a child to the custody of a regional facility for the treatment and rehabilitation of children and requires each county whose population is less than 700,000 (currently all counties other than Clark County) to pay an assessment for the operation of certain such facilities to the Division of Child and Family Services of the Department of Health and Human Services. Existing law also establishes the formula used to calculate the assessment owed by each county subject to this requirement. Under existing law, the assessment owed by each assessed county equals the total amount of money budgeted by the Legislature for the operation of the regional facility, minus any money appropriated by the Legislature for the support of the regional facility, divided by the total number of pupils enrolled in public schools in this State in the preceding school year, excluding pupils enrolled in public schools in an unassessed county, and multiplied by the number of pupils enrolled in public schools in the assessed county. (NRS 62B.150) This bill revises this formula by providing that, after any amount of money appropriated by the Legislature for the support of the regional facility has been subtracted from the amount of money budgeted by the Legislature for the operation of the regional facility, the assessment owed by each assessed county equals the sum of: (1) fifty percent of the remaining amount of money budgeted by the Legislature for the operation of the regional facility, divided by the total number of pupils enrolled in public schools in this State in the preceding school year, excluding pupils enrolled in public schools in an unassessed county, and multiplied by the number of pupils enrolled in public schools in the assessed county; and (2) fifty percent of the remaining amount of money budgeted by the Legislature for the operation of the regional facility, divided by the total number of bed days at the facility for the 2 immediately preceding fiscal years, and multiplied by the number of bed days used by the assessed county. For the purposes of calculating the assessment owed, this bill defines the term “bed day” to mean a day for which a specific bed at a regional facility is occupied.

Assembly Bill 92: AN ACT relating to counties; authorizing a board of county commissioners to create by ordinance the office of county counsel; providing for the appointment of a county counsel; establishing the qualifications of a county counsel; authorizing a county counsel to appoint deputies and certain other staff; setting forth the powers and duties of a county counsel; revising the responsibilities of the district
attorney when the office of county counsel is created; and providing other matters properly relating thereto.

Existing law provides for the election, qualifications and duties of a district attorney for each county in this State. (Chapter 252 of NRS) Section 5 of this bill authorizes a board of county commissioners to create the office of county counsel to perform many of the noncriminl duties otherwise assigned to the district attorney. Section 5 requires the board of county commissioners in a county where the office of county counsel is created to interview candidates and appoint a county counsel. Section 5 also sets forth the qualifications for appointment as county counsel, which are similar to the qualifications required for a candidate for the office of district attorney. Existing law requires the district attorney of a county to perform certain legal duties for the county, including, among others: (1) providing legal opinions to the board of county commissioners and certain county, township and district officers; (2) attending meetings of the board of county commissioners; (3) reviewing all contracts under consideration by the board; (4) drafting ordinances and amendments thereto; (5) providing certain legal advice; and (6) drawing all legal papers on behalf of the board. (NRS 244.235, 252.160, 252.170) Section 5 requires a board of county commissioners that has created the office of county counsel to require the county counsel to perform such duties. Section 5 also requires the board of county commissioners to require the county counsel to represent the county in certain civil matters relating to the abuse or neglect of a child. Section 6 of this bill authorizes the county counsel of a county to appoint deputies and other clerical, investigational and operational staff. Sections 13, 37, 60 and 61 of this bill require that each county counsel be provided certain state publications. Existing law requires the Attorney General, when requested, to give his or her opinion in writing upon any question of law to certain state and local officers, including, among others, to any district attorney, upon any question of law relating to their respective offices. (NRS 228.150) Section 38 of this bill includes a county counsel among the officers to whom the Attorney General is required to give such a written opinion. Sections 1, 14, 16, 18, 26, 28, 30, 33, 35, 42, 47, 53, 63, 66, 70, 76, 78, 80, 82, 84, 89, 91, 94, 102, 104, 107, 109, 112, 113, 115, 116, 118, 122, 124, 129 and 134 of this bill revise the definition of “district attorney” in various provisions of existing law which authorize or require a district attorney to perform certain duties or bring certain civil actions, for the purpose of authorizing or requiring, as applicable, a county counsel to perform such duties or bring such actions. Sections 2, 3, 20-25, 43, 44, 49, 55-58, 64, 65, 72-75, 93, 96-100, 120, 136 and 137 of this bill revise certain provisions of existing law to conform to this revised definition of “district attorney” for the purpose of prohibiting county counsel from conducting criminal prosecutions or bringing certain civil actions relating to an obligation for the support of a child. Sections 8, 10-12, 17, 32, 39-41, 45, 46, 50-52, 59, 62, 68, 69, 83, 86-88, 101-103, 106, 110, 111, 114, 121, 126, 127, 131-133 and 138-142 of this bill similarly authorize or require, as applicable, a county counsel to perform certain additional duties and bring certain additional civil actions. Sections 7, 9, 15, 19, 27, 29, 31, 34, 36, 48, 54, 67, 71, 77, 79, 81, 85, 90, 92, 95, 105, 108, 113, 117, 119, 123, 125, 128, 130 and 135 of this bill make conforming changes as a result of the authorization to create the office of county counsel in section 5.
Assembly Bill 103: AN ACT relating to emergency management; requiring a state of emergency or declaration of disaster proclaimed by the Governor to terminate after 60 days, unless the Legislature expressly approves a continuance of the emergency or disaster; prohibiting the Governor from proclaiming the existence of a state of emergency or declaration of disaster due to the same occurrence or threatened occurrence as that of an emergency or disaster which has terminated, unless the Legislature expressly approves the proclamation; prohibiting the exercise of certain powers by the Governor without the express approval of the Legislative Commission or the Legislature; and providing other matters properly relating thereto.

Existing law provides the Governor and Legislature with certain emergency powers during the existence of a state of emergency or declaration of disaster. Under existing law, the Governor and the Legislature are authorized to proclaim the existence of a state of emergency or declaration of disaster if the Governor or Legislature finds that: (1) an attack upon the United States has occurred or is about to occur, or a natural, technological or man-made emergency or disaster has actually occurred within this State; and (2) the safety and welfare of the inhabitants of this State require an invocation of the provisions of existing law providing the Governor and Legislature with such emergency powers. Under existing law, a state of emergency or declaration of disaster proclaimed by the Governor or the Legislature terminates when the Governor issues a proclamation terminating the emergency or disaster or the Legislature passes a resolution terminating the emergency or disaster. (NRS 414.070) Section 2 of this bill provides that a state of emergency or declaration of disaster proclaimed by the Governor terminates automatically 60 days after it is proclaimed by the Governor. However, section 2 provides that a state of emergency or declaration of disaster may continue beyond that 60-day period if the Legislature, by resolution, expressly approves the continuance. If a state of emergency or declaration of disaster proclaimed by the Governor terminates, section 2 prohibits the Governor from subsequently proclaiming the existence of a state of emergency or declaration of disaster due to the same occurrence or threatened occurrence as that of the terminated emergency or disaster, unless the Legislature, by resolution, expressly approves the proclamation. Additionally, if the exercise of any emergency power by the Governor would declare a business to be an essential or nonessential business and impose a requirement on or otherwise restrict the operation of a business in this State on such a basis, sections 1 and 2 of this bill prohibit the Governor from exercising such a power without the express approval of the Legislative Commission or Legislature. Finally, sections 1 and 2 require that any approved regulation imposing a requirement on or otherwise restricting the operation of a business in this State be uniformly applied to all businesses operating in this State without regard for the type of business or the product or service provided by the business. Section 3 of this bill applies the provisions of section 2 to a state of emergency or declaration of disaster proclaimed by the Governor that is in effect on the effective date of this bill. However, under section 3, a state of emergency or declaration of disaster proclaimed by the Governor that is in effect on the effective date of this bill terminates 10 days after the effective date of this bill, rather than 60 days after the date upon which the emergency or disaster was proclaimed.
Senate Bill 64: AN ACT relating to education; adding certain appointed members to the board of trustees of a county school district; providing that a certain appointed member serves as the president of the board of trustees; requiring the Legislative Auditor to audit school districts; and providing other matters properly relating thereto.

Existing law provides that the board of trustees of a county school district consists of five or seven elected members, depending on the number of pupils who are enrolled in the county school district. (NRS 386.120) In addition to those members, section 1 of this bill requires: (1) the board of county commissioners to appoint one school trustee; and (2) each governing body of an incorporated city whose population is 60,000 or more (currently, the cities of Henderson, Las Vegas, North Las Vegas, Reno and Sparks) to appoint one school trustee to the board of trustees of the county school district in which the city is located. Section 1 prescribes: (1) the length of the terms of the appointed trustees; and (2) the procedure for filling a vacancy among the appointed membership of the board of trustees of a school district. Sections 1 and 9 of this bill set forth the qualifications of an appointed school trustee. Sections 2-8 and 10-14 of this bill make various conforming changes to account for the addition of appointed members to the boards of trustees of school districts. Existing law requires the board of trustees of a county school district to elect a president of the board of trustees. (NRS 386.310) Section 15 of this bill removes the authority of the board of trustees to elect the president and instead requires the trustee appointed by the board of county commissioners pursuant to section 1 to serve as the president of the board of trustees. Existing law requires the Legislative Auditor to conduct audits of agencies of the State. (NRS 218G.200) Existing law authorizes the Legislative Auditor to conduct a special audit of a nonstate entity if: (1) that entity receives an appropriation of public money; and (2) the Legislative Commission directs the Legislative Auditor to audit the entity. (NRS 218G.450) Section 17 of this bill requires the Legislative Auditor or his or her designee to audit each school district at least once every 5 years to ensure that the school district is using appropriated money in accordance with applicable laws and regulations. Section 18 of this bill requires every trustee, officer, employee and contractor of a school district or school in this State to make available certain information that the Legislative Auditor requires to complete the audit and to assist the Legislative Auditor as needed. Section 18 also authorizes the Legislative Auditor or his or her designee to request a financial statement from the board of trustees of a school district. Section 19 of this bill requires the Legislative Auditor or his or her designee to: (1) provide the board of trustees of the audited school district a copy of the preliminary report of the audit and an opportunity to explain or rebut any findings of the Legislative Auditor or his or her designee; (2) compile a final report of each audit; (3) submit the final report to the board of trustees of the audited school district; and (4) biennially compile the final report of each audit performed during the immediately preceding 2 years into a single report and submit that report to the Governor and Legislature. Section 20 of this bill makes a conforming change to indicate the proper placement of sections 17-19 in the Nevada Revised Statutes.

Senate Bill 81: AN ACT relating to regional planning; requiring representatives of certain counties and cities to meet jointly for a specified period to identify issues and make
recommendations regarding the orderly management of growth in the region; requiring such representatives to prepare certain reports during that period; and providing other matters properly relating thereto.

Existing law requires Carson City, Douglas County, Lyon County, Storey County and Washoe County, in consultation with any cities within each such county, to each prepare a report for submission to each Legislator who represents any portion of one of these counties at the end of each calendar year between July 1, 2019, and December 31, 2022. Each report must identify certain issues relating to the orderly management of growth in those counties and make recommendations regarding such issues. (Chapter 144, Statutes of Nevada 2019, at page 798) This bill extends the meeting and reporting requirements through calendar year 2026 and revises the meeting and reporting requirements. Specifically, this bill requires, on or before December 1 of each calendar year during the period between July 1, 2023, to December 1, 2026, Carson City, Douglas County, Lyon County, Storey County and Washoe County, in consultation with any cities within each such county, to meet to discuss and identify the positive and negative issues relating to growth in the region that are impacting any such county and prepare a report that: (1) identifies certain issues relating to growth in the region; and (2) addresses, without limitation, the areas of conservation, population, land use and development, transportation, and public facilities and services. Each report must set forth recommendations that are intended to resolve any negative impact on such issues which have been identified in the report. Additionally, this bill requires during the period between January 1, 2024, and January 1, 2027, certain Legislators and other representatives of each county and city in the region to meet jointly at least twice during each calendar year during the period to identify and discuss the positive and negative issues relating to the orderly management of growth in the region. On or before December 31 of each calendar year during the period, such persons are required to prepare a joint regional report of the issues identified. The joint regional report must also address comprehensively all of the issues identified and recommendations made in the reports prepared by the counties and cities.

BOCC and staff discussed the merits, drawbacks, and clarifications needed or desired for each Bill, as well as offered opinions and recommendations regarding support.

Comm. Keller clarified with County Manager Andrew Haskin the suggested opinions regarding Bill support as: Support, Oppose, Watch, and Neutral. Comm. Keller requested clarification as to current standing of the Bills, to which Andrew Haskin confirmed SB81 would be heard on Monday, and suggested taking a stance on it.

Comm. Hockaday asked for public participation.

Vida Keller (via Zoom) gave her recommendation to support AB63, oppose AB92, and oppose SB81.

Tony Stevenson (via Zoom) gave his recommendation to support AB63, oppose AB103, and oppose SB64.
Will Adler clarified that AB63 has been updated to include Fernley Interchange, and recommended opposing SB81.

Tom Hendrix gave his recommendation to oppose SB64.

Greg Clausen gave his recommendation to oppose AB92, support AB103, oppose SB64, and oppose SB81.

The Commissioner vote results for what type of action the Board would like to take on the Bills:

**AB63:**
- Comms. Jacobson, Keller, Hendrix, Henderson, and Hockaday voted to support.
- **5-0: Support**

**AB68:**
- Comms. Hendrix, Henderson, Keller, Jacobson, and Hockaday voted to support.
- **5-0: Support**

**AB92:**
- **5-0: Oppose**

**AB103:**
- Comms. Keller, Jacobson, Hockaday, and Hendrix voted to support.
- **4-1: Support** Comm. Henderson voted neutral.

**SB64:**
- **5-0: Oppose**

**SB81:**
- **5-0: Oppose**

Comm. Henderson moved for Lyon County to take position at this time to Support AB63, AB68, AB103 and to Oppose AB92, SB64, and SB81.

Comm. Henderson moved to provide direction to the County Manager regarding legislation for the 82nd session of the Nevada Legislature, Legislation includes Assembly Bill 63, Assembly Bill 68, Assembly Bill 92, Assembly Bill 103, Senate Bill 64, and Senate Bill 81.

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

Comm. Keller and Andrew Haskin clarified that these current positions are subject to change if significant changes are made to the Bills.

19. **Clerk/Treasurer**

19.a. For Possible Action: Approve Lyon County Treasurer to open a new sweep account with Wells Fargo Bank.
Clerk/Treasurer Staci Lindberg explained upon approval of the board commissioners and the onboarding process with the bank, the transfer and new account will allow for an increase in interest income from the current annual per annum in the General of .965%. If the funds are moved into a sweep account, interest income can realize around 4.8% per annum.

Commissioners and staff discussed potential income of around $151,000 per month.

Comm. Hockaday asked for public participation.

Tony Stevenson (via Zoom) asked what a sweep account is and Clerk/Treasurer Staci Lindberg explained that a sweep account means that the General Account is zeroed out, and all of the main funds remain in the account for investment, leaving only amount needed to cover accounts payable less what was received. The majority of the money is left in the account for interest income.

Vida Keller (via Zoom) asked what the Comptroller’s opinion is, and if there may be any negative or unintended consequences.

Comptroller Josh Foli reported that Lyon County used to have a sweep account until around 2008-2009, but when the interest rates dropped significantly, the charges to maintain the sweep account exceeded the amount of interest income. Mr. Foli advised that there is very little risk with overnight investments.

Greg Clausen thanked Staci Lindberg for taking initiative.

Tom Hendrix thanked Staci Lindberg for doing the research. He asked for clarification of the liquidity of the funds if the funds are needed. Josh Foli clarified the liquidity is overnight.

Comm. Hendrix moved to approve Lyon County Treasurer to open a new sweep account with Wells Fargo Bank.

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

20. Facilities

20.a. For Possible Action: Authorization for County Manager and Facilities Director to take the steps necessary for Lyon County to operate the Stagecoach Community Center, including, but not limited to, notifying the present operator that the Lease is officially terminated and expired and that Lyon County intends to take over April 1, 2023, and authorizing the County Manager or Facilities Director to sign any correspondence or other documents necessary to complete the transition back to Lyon County management of the Stagecoach Community Center.

Facilities Director Doug Homestead stated there have been problems with the facility and feel it’s best for the community that the County takes back over the property since the lease expired in May of 2022. Mr. Homestead expressed plans to maintain Stagecoach Bingo and the other organizations that currently use it, and that it would be easier for other organizations to utilize it.
by going through his administrative assistant in Dayton. Mr. Homestead reported that the County currently pays the utilities and for maintenance to the building with no benefit to the County. County Manager Andrew Haskin and Mr. Homestead were scheduled to meet with the Stagecoach Community Advisory Board at the 1st meeting in February, but it was requested by the Advisory Board to reschedule that to the 1st meeting in March. The current plan is for Lyon County to take over the property and change the locks on April 1, 2023.

Comm. Hockaday asked for public participation.

Amanda Brinnand of the Stagecoach Advisory Board wanted to confirm they will still have access prior to meetings. She also requested this matter be continued to after March 1st Advisory Board Meeting because she feels it should be heard before the community.

Tony Stevenson (via Zoom) reported the Lyon County Democrats are concerned and curious how it affects them as their organization have been grand-fathered in to use the facility at no charge for several years.

Andrew Haskin clarified the County plans to maintain the standard facility use policy whereby non-profit organizations may use the facility at no cost, and for profit/private events will be charged a small fee. Regarding tabling this issue until after being presented to the CAB. Mr. Haskin clarified that while the County appreciates the Advisory Board’s input on how the facility is used, it is not within the Advisory Board’s purview. He stated the final decision is up to the County Manager, and because there was a contact involved, the BOCC.

Comm. Jacobson and Andrew Haskin discussed an overview of the situation with and plan for the property.

Comm. Jacobson moved to give authorization for County Manager and Facilities Director to take the steps necessary for Lyon County to operate the Stagecoach Community Center, including, but not limited to, notifying the present operator that the Lease is officially terminated and expired and that Lyon County intends to take over April 1, 2023, and authorizing the County Manager or Facilities Director to sign any correspondence or other documents necessary to complete the transition back to Lyon County management of the Stagecoach Community Center.

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

21. Human Resources

21.a. For Possible Action: Approve the creation of two Building Inspector positions and one Plans Examiner position as well as the purchase of three new vehicles, to be funded for the remainder of the fiscal 4 year through a budget transfer from the General Fund contingency for $267,992.

County Manager/Community Development Director Andrew Haskin explained Lyon County is under contract with DOWL engineering firm (previously Farr West Engineering) for building inspection and plan review services. For the next upcoming fiscal year, the cost of the contract would be $579,000. Better pricing is not likely to be available through other firms. Bringing
these services in-house would at this point be more cost-effective. The annual cost of providing these services in-house would be approximately $425,000, excluding vehicle purchases (which would add an additional up-front cost of approximately $120,000). The savings should thus be approximately $34,000 in the first year and larger in subsequent years. This move would also give Lyon County more control over service delivery and would eliminate any potential issues regarding compliance with DOL and IRS regulations concerning independent contractor/employee classifications. As regards the timing of this transition, the contract with the engineering firm allows for early termination by Lyon County, and the engineering firm has represented it will work constructively with Lyon County through the transition; accordingly, we would like to begin recruiting for these positions immediately and phase out of the contracted service as we hire staff to fill the positions.

Comptroller Josh Foli provided a financial statement: This would be funded from a budget transfer from the General Fund contingency. There should also be some budget savings in the current year from discontinuing contracted services, but it is recommended to authorize the full amount from contingency.

Commissioners and staff discussed the benefits of bringing these positions back in-house.

Comm. Hockaday asked for public participation and there was none.

Comm. Keller moved to approve the creation of two Building Inspector positions and one Plans Examiner position as well as the purchase of three new vehicles, to be funded for the remainder of the fiscal year through a budget transfer from the General Fund contingency for $267,992.

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

22. Other

22.a. For Possible Action: Approve Interlocal Agreement between Lyon County and Lyon County School District for the continued joint use of the Smith Valley Library for a term of four (4) years.
- Interlocal agreement with LCSD and Lyon County for the use of the SV Library 2003
- Interlocal agreement with LCSD and Lyon County for the use of the SV Library 2023

Library Director Amy Geddes reported Lyon County and Lyon County School District entered into a twenty (20) year agreement in 2003 for a joint use library in Smith Valley. The SV Friends of the Library were also part of the agreement and contributed to the project. The School District built the building and the County furnished and provided books. The library is used by the public and the school. The project has been successful and the parties desire to extend the agreement. The School District has requested a four (4) year extension due to the School Board turning over every 4 years. The Agreement has been revised to eliminate the construction portions. This agreement was already approved by the Lyon County School Board at the Jan 24th Meeting, has been vetted by District Attorney Steve Rye, and has also been thoroughly vetted by the Joint Use Council (members of the Smith Valley Community). If this agreement is not approved, there will be no public library.

Comm. Hockaday asked for public participation and there was none.
Comm. Jacobson moved to approve an Interlocal Agreement between Lyon County and Lyon County School District for the continued joint use of the Smith Valley Library for a term of four (4) years.

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

22.b. For Possible Action: Accept donation in the amount of $500.00 from a private citizen to be used to purchase items to assist individuals experiencing homelessness in Lyon County.
- Donation for Homelessness Assistance

This donation was made by Bonnie Coker, a private citizen of Lyon County to make purchases to assist individuals experiencing homelessness in Lyon County.

Comm. Hockaday asked for public participation and there was none.

Comm. Jacobson moved to accept a donation in the amount of $500.00 from a private citizen to be used to purchase items to assist individuals experiencing homelessness in Lyon County.

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

23. Agenda Requests

Comm. Hendrix had no requests at this time.

Comm. Henderson requested an item at the next meeting for presentation, discussion, and possible approval of a contract with The Porter Group to represent Lyon County’s interests in Washington, D.C.

Comm. Henderson also requested an agenda item for the 2nd meeting in March for a proclamation urging the Legislature to work with Congress to put Nevada on Mountain Standard Time year round.

Comm. Keller requested an agenda item in the future State of Nevada’s Infrastructure Coordinator, Bob Lucey, to come in and give a presentation. It doesn’t need to be on the next agenda, but when it’s able to be fit in.

Comm. Jacobson requested a future meeting to include an annual evaluation of the City Manager.

Comm. Hockaday requested a future meeting discussion the Lyon County lease agreement with the Smith Valley Rodeo Grounds and how that came about from the Dayton Grounds.

24. Commissioner Comments
Comm. Jacobson went and watched the Smith Valley boys at Pyramid Lake, acknowledged Yerington’s players with their State Tournaments coming up, and congratulated wrestlers on their recent State Tournament. He gave a shout out to the Fernley Vaquero both boys’ and girls’ teams undefeated and wished them good luck at the tournaments beginning on Friday at North valley high. He also wished all teams still in the playoff good luck.

25. Closed Session

There was no closed session.

26. Public Participation

Comm. Hockaday called for public participation and there was none.

Vida Keller (via Zoom) congratulated Hendrix again on her appointment.

Tony Stevenson (via Zoom) asked for clarification of how to request an agenda discussion.

Josh Foli clarified that Walker & Walker is a name that Walker and Associates used many years ago, so it is a nonissue.

Andrew Haskin asked Mr. Stevenson to contact the County Manager’s Office by phone or email to discuss it.

Greg Clausen congratulated Comm. Hendrix and encourages citizens from Lyon County to take advantage of the ability to testify virtually to Nevada Legislature regarding any and all of the Bills.

27. Adjourn

Comm. Hockaday adjourned the meeting at 11:33 a.m.

LYON COUNTY BOARD OF COMMISSIONERS

DAVE HOCKADAY, Chairman

ATTEST

STACI LINDBERG, Lyon County Clerk/Treasurer

Lyon County Board of County Commissioners
February 16, 2023