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

1. Roll Call

Present: Chairman David Hockaday, Vice Chair Wes Henderson, Comm. Rob Jacobson, Comm. Scott Keller, and Comm. Tammy Hendrix

Absent: None

Staff Present: County Manager Andrew Haskin, Comptroller Josh Folli, Emergency/Communications Manager Taylor Allison, District Attorney Steve Rye, Assessor Troy Villines, HR Director Eric Milavsky and Clerk/Treasurer Staci Lindberg

2. Invocation given by Irene Albritton of First Christian Church

Irene Albritton gave the invocation.

3. Pledge of Allegiance

4. Public Participation

Comm. Hockaday asked for public participation.

Jim Denning from Yerington stated there is increased drug deals and traffic in his neighborhood. He moved here in 2018. There had been nothing done until about two months ago. It has quieted down some but there is still ongoing illegal activity, the laws are insufficient and better laws need to be put into place. These people are getting deferred bail, and released from jail the next morning. They should be required to submit to drug testing and counseling. There was a fire at the house in question and it was red tagged. Code enforcement has done all they can but nothing has really changed. There are old trailers and motor homes there that people are living in, there is a lot of transients and traffic. Mr. Denning feels there should be a monthly inspection on the “work” the owner says he is doing. The City Police are responsible for this area and do not get involved unless the Sheriff’s office calls them. Police presence would help. High school kids are going out there also. A request to deem this a nuisance property was submitted.

5. For Possible Action: Review and adoption of agenda

Comm. Hockaday made a request that when the District Attorney calls in they will move item 21.a to around 10 a.m.

Comm. Jacobson moved to adopt the agenda as written, moving 21.a to around 10am.

Comm. Henderson seconded.

Comm. Hockaday asked for public participation. There was none.
Motion passed 5-0.

6. Time Certain

6.a. Time Certain at 9:00 AM: For Presentation & Update Only: General Manager Bert Bryan with Walker River Irrigation District to give a report on current and forecasted Walker River conditions.

Bert Bryan gave a report on the Walker River Irrigation District, which has about 246,000 acres of water of which 81,000 acres have water rights in Lyon County. They are the largest irrigation district in the state of Nevada. Mr. Bryan reported on the amount of water in the Bridgeport and Topaz reservoirs and the East and West Walker Rivers in comparison with the 1997 and 2017 records. They are anticipating that the snow run off will not end until September. There is a potential for much more significant events depending on the upcoming weather. Mr. Bryan pointed out that the irrigation district is not a flood control district. They do the best they can to assist with flood mitigation and are trying to keep the reservoirs down as low as they can without overburdening the system at the bottom in preparation for the snow melting.

Comm. Jacobson questioned how much infrastructure damage there has been to the irrigation ditches and what challenges they will have to fix them before irrigation season. Mr. Bryan stated that there was quite a bit of damage done, they will need an engineer to do a full inspection in Hoyer Canyon where the ditches are starting to slough off into the County road. Due to the weight of heavy equipment needed to fix these issues, they will need to wait until the area dries out. They are working in cooperation with private ditch companies, the district, and some other private entities to try to alleviate and fix these issues, get everything dried out and start delivering water. Many people in Smith and Mason Valleys have said they are unable to seed and this is going to cause delays.

Comm. Henderson commented that these problems would probably be around for a while. Mr. Bryan replied they project uncomfortable water levels for 30-45 days and it could get worse depending on Mother Nature.

The Commissioners thanked the irrigation district for all their work.

6.b. Time Certain at 9:15 AM: For Possible Action and Presentation: Approve an Investment Advisory Agreement with FHN (Financial Main Street Advisors, LLC) in the amount of 0.075% of the quarterly average, and naming US Bank as custodian of investment funds and opening an account with US Bank in the amount of 0.01%, and to allow Clerk/Treasurer to sign contracts.

Greg Falls, Assistant Chief Investment Officer with Financial Main Street Advisors gave a brief history of the company, their resources, and strategies.

Comm. Jacobson asked for clarification of the proposed fee structure.
Clerk Treasurer Staci Lindberg reached out to other counties regarding aggressive investment policies. We have used LGIP. LGIP also recommended Financial Main Street Advisors, as did other counties. Staci Lindberg has met with other agencies to find the one that would be the best for the County.

Comm. Henderson asked how much money is currently invested in LGIP. Staci Lindberg replied there is $103 million. They are looking at giving $50 million to the advisor to invest.

Comm. Hendrix asked to hear a risk assessment.

Stacy Lindberg said it is best to make sure that the banks they deal with are in the pool with LGIP and noted that LGIP insures investments and cash up to 102%.

Comm. Jacobson would like to hear Josh Foli’s opinion. Comptroller Josh Foli has been working closely with Staci Lindberg on this issue. These are very conservative investments. Mr. Foli is very comfortable with this and highly recommends moving forward but recommends looking at a three-month period due to the fiscal year.

Comm. Henderson questioned that entering into a contract and then developing an investment policy is somewhat backwards. Comptroller Josh Foli stated that by default our investment policy follows state law. He hopes to write a new and improved policy. Ideally, one would already built, but feels that they can use reasonable controls to do an investment.

Comm. Jacobson stated that Elko County uses the same system and asked if we know how much they have benefitted. Mr. Falls replied that he believes it is around $53,000. He was not sure of the exact amount for Douglas County but he does know that it is higher than with LGIP.

Comm. Hockaday is concerned about the risks with all the problems in Silicon Valley and questioned where U.S. Bank falls and are they solid.

Mr. Falls replied that in his opinion, they are a solid bank and all banks are being reassessed. Many banks are now buying treasuries, and their assets and liabilities do not match which causes liquidity issues. He explained credit risk and interest rate risk.

Comm. Henderson asked when the agreement would take effect if the motion were approved. Comptroller Josh Foli replied that it would take effect today.

Clerk Treasurer Staci Lindberg added that U.S. bank assets are reviewed daily to make sure they are stable.
Comm. Hockaday questioned how quickly the money could be withdrawn if the economy tanked. Comptroller Josh Foli replied that most securities have an open market and are able to be sold in a couple of days, but holding to maturity is recommended.

Comm. Hockaday asked for public comment. There was none.

Comm. Henderson motioned to approve an Investment Advisory Agreement with FHN (Financial Main Street Advisors, LLC) in the amount of 0.075% of the quarterly average, and naming US Bank as custodian of investment funds and opening an account with US Bank in the amount of 0.01%, and to allow Clerk/Treasurer to sign contracts.


Motion passed 5-0.

7. Presentation of awards and/or recognition of accomplishments

County Manager Andrew Haskin recognized Human Resources Director Eric Milavsky who is leaving Lyon County next week for outstanding commitment and performance to the employees of Lyon County and presented him with a certificate of appreciation.

Eric stated it has been an honor to work for Lyon County and he has made many friends.

All the Commissioners and Comptroller Josh Foli thanked Eric for the great job he has done and wished him luck.

8. Commissioners/County Manager reports

Comm. Hockaday thanked Governor Lombardo for his surprise visit to the County for a reconnaissance of Lyon County and the flood and damages and for briefing on the flooding.

Comm. Jacobson drove around to check out the flooded areas. He thanked County staff for their work helping mitigate as much damage as possible. He thanked the citizens for helping in their neighborhoods. He wished the 25 students of his hunter’s education class and Lyon County resident hunters luck in the game draw.

Comm. Hendrix thanked all the County staff for the long work hours they have put in during all of the flooding. She and Comm. Keller attended the Carson Water Sub conservancy meeting.

Comm. Henderson also thanked County Staff for their hard work during the flooding. He attended the Western Nevada Legislative Coalition and the NACo Legislative Committee last Thursday. They believe SB81 will move forward in some fashion. He attended the Regional Transportation Committee meeting Wednesday. The City of Yerington was reimbursed for funds expended for part of the water/sewer project. He also thanked the Governor for visiting.
Comm. Keller also thanked the County staff. He has reached out to the Boards he is sitting on and is getting on their calendars. He attended the Carson Water Sub conservancy meeting with Comm. Hendrix.

Comm. Hockaday was a judge at the Smith Valley Rotary speech contest at the high school. He appreciated that he was asked to be a judge. It is impressive to see the kids.

County Manager Andrew Haskin gave a report of the briefing they gave Governor Lombardo on flooding and flood damage. He showed pictures of all the flooding and damage around the County. He thanked staff for all hands on deck. He mentioned there was a resignation on the Planning Commission so the applications from today will move forward to the April 6th meeting and new applications are due April 3rd. Louis Cariola was hired as the new Community Development Director.

Comm. Jacobson thanked whoever took the pictures Andrew Haskin used in his presentation and asked if maybe the police drone or some other equipment could be used to take more aerial pictures. Andrew agreed the aerial photos have been very helpful in the decision making process.

Comm. Henderson thanked staff and congratulated Mr. Cariola.

Andrew Haskin also reported that Shayla Holmes was very important in helping with temporary shelter.

9. Elected Official’s reports

There was none.

10. Appointed Official’s reports

Emergency Communications Manager, Taylor Allison thanked the Sheriff’s office, the Search and Rescue, VIP’s for manning the call center, and Team Rubicon, a group of volunteer veterans for helping fill sand bags at Mason town hall. She thanked the businesses that supported in kind by donating equipment, operators, and materials to help with repairs. They are working on the damage assessment. She explained that when an emergency is declared there are thresholds to meet for federal assistance. Lyon County’s threshold is about $260,000.00. So far, they are at about $180,000.00 in two areas in Smith Valley, not including Dayton or any other areas.

The Commissioners all thanked Taylor Allison.

Louis Cariola is appreciative of the faith placed in him. He is committed to reviewing the internal processes to see if there are opportunities for efficiencies. His goal is to bring the Planning Commission and the Board of County Commissioners clear and concise reports, and a transparent process.

Comptroller Josh Foli reported they had another meeting on the Fernley Justice Court expansion project with the architect. They have come up with a design of what they need for the expansion. The cost is going to be closer to $5 million vs. $2.2 million that was allocated through ARPA
funding. He is not sure how they will be funding this and will be looking at budgets in next few weeks.

Comm. Jacobson asked if we have reached out to the City of Fernley to share cost. Josh Foli stated they could reach out to them to discuss it.

Director of Lyon County Human Services, Shayla Holmes, reported that April 7, 2023, pinwheel planting will be held in Fernley, Yerington, Silver Springs, and Dayton for Child Abuse Prevention Month. They will be here at the April 6th meeting to give a presentation on this. Comm. Jacobson asked Shayla Holmes for a flyer to hand out, and she stated she would get one to him as soon as they are finalized.

11. Advisory Board reports

Ralph Ewin, Dayton Advisory Board Chair stated at their last meeting concerns were expressed on the new stop sign on Dayton Valley Road and The Lakes Blvd being ignored, they need stop ahead painted there. They have also had concerns about the homeless situations and the camps along the river getting out of control. They also had an issue with out of date computer equipment and the Zoom meeting.

Comm. Henderson reported that painting the stop ahead warning is planned, but they are waiting for better weather.

Mark Jones Smith Valley GID Vice Chair reported they have moved their meetings to the Smith Valley Fire Dept. to do Zoom meetings. They have had concerns with proposals to review land splits without input from the Planning Commission and requested that input be attached. They are trying to get reflector strips painted on lower colony, which will save the State a lot of money because they have to keep replacing barriers. In a white out, you cannot see the barriers. There was a head on collision due to this last week. Mr. Jones wants to know statute on setting meeting dates because they would like to change the dates. He requested a letter of appreciation to 775 Rescue group for all the rescues they have helped with.

CONSENT AGENDA

Comm. Henderson moved to approve the consent agenda items #12.a. – 16.c. as written, pulling 13.a.

Comm. Hendrix requested item 13.a be pulled for a correction on the minutes.


Comm. Hockaday asked for public comment. There was none.

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.

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

Comm. Hendrix requested a change on page 10 stating the drainage schedule for the ditches would have a SWPP and drainage will be maintained twice a year by the developer.

Comm. Hendrix made a motion to approve the March 2, 2023 minutes as amended.

Comm. Henderson seconded.

Comm. Hockaday asked for public comment. There was none.

Motion passed 5-0.

14. Contracts
   14.a. For Possible Action: Approve Agreement with Thomson Reuters for Online Legal Research for the District Court for five years at the rate of $1,170 per month the first year and a 4% increase each year thereafter.

15. Grants
   15.a. For Possible Action: Accept a $2500 scholarship from the Pet Network Humane Society covering registration and travel expenses for a Lyon County Animal Services Officer to attend the Animal Care Expo in New Orleans in April 2023.

   15.b. For Possible Action: Accept amendment to FY2019 Federal Transit Administration (FTA) 5339 (Capital Purchases) Agreement funding in the amount of $66,179, with County matching funds in the amount of $11,679, for a replacement vehicle and accept the vehicle into the County fleet, to extend the agreement ending date to March 31, 2024.

16. Other Consent Items
   16.a. For Possible Action: Review and accept travel claims.
      - Travel Report 2-16-23 to 2-28-23

Travel claims totaled $5,398.27 as of February 28, 2023.
16.b. For Possible Action: Review and accept claims and financial reports.
- Claims Report 2-16-23 to 2-28-23
- Cash Report 2-28-23

The cash balance as of February 28, 2023 was $111,057,902.87. County claims totaled $1,080,137.50 and payroll totaled $1,075,232.53.

16.c. For Possible Action: Approve buying two trucks that will exceed the current budgeted amount, with $11,000 coming from contingency in the General Fund for a Facilities Department truck and $6,000 being moved from the services and supplies line item in the Road Improvement Fund for a Road Department truck.

**END OF CONSENT AGENDA**

REGULAR AGENDA

17. Advisory Board

17.a. For Possible Action: Appoint a member to the Planning Commission, with a term expiring December 31, 2026.
- Clerk Affidavit
- Betty Retzer, Application
- Jeff Le Grand, Application
- Jimmie A. Richards, Application
- Mark Hamilton Jones, Application
- Michael Weiss, Application
- Ralph N. Ewing, Application
- Shannon Ceresola, Application
- Suzanne Armstrong, Application.

For the record, it was noted that Betty Retzer pulled her application.

Erin Lopez reported that this position has been open since Tammy Hendrix resigned when appointed to the Board of County Commissioners. Greg Claussen also withdrew. They will reach out to all applicants to see if they would like to move to the April 6th meeting. Erin asked if any of the applicants were in chambers or online and would be interested.

Comm. Henderson asked for a list of current members and what area of the County they live in. He would like a summary of items that come before the Planning Commission by geography for next meeting.

Comm. Jacobson agreed with Comm. Henderson and stated that the Fernley area is under-represented.
Comm. Keller stated that the most development is on the highway 50 corridor and that they should appoint someone from the area of development.

Comm. Hendrix also agreed.

Comm. Hockaday agreed that currently the most development is on the highway 50 corridor but they also need representation from the southern end of the County also.

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

Comm. Hockaday moved to appoint Ralph N. Ewing to the Planning Commission. with a term expiring December 31, 2026.

Comm. Hendrix seconded.

Motion passed 4-1. Comm. Jacobson voted Nay.

17.b. For Possible Action: Appoint Jeff Miller as the Sheriff's Representative to the 911 Surcharge Committee with a term expiring December 31, 2023.

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

Erin Lopez wanted to state for the record that this was a recommendation from Sheriff Brad Pope due to a vacancy.

Comm. Henderson motioned to appoint Jeff Miller as the Sheriff's Representative to the 911 Surcharge Committee with a term expiring December 31, 2023.


Motion passed 5-0.

18. Utilities

18.a. For Information Only: Projects update from the Utilities Engineer for the first quarter of 2023 (Kishora Panda).

Utilities Engineer, Kishora Panda, gave a summary of projects in planning stages, including the Hwy 50 Dayton Valley Road sewer replacement project, sewer model development, Silver Springs GID effluent disposal preliminary engineering report and Sheep Camp Dam geotechnical assessment. He also gave a report on the projects currently in construction, which are the sewer lift station 2 replacement, Aspen Creek rapid infiltration basins, 10-Mile Hill tank and the Rolling A wastewater treatment facility phase 4 expansion.
18.b. For Possible Action: Approve Change Order No. 1, for the Aspen Creek Rapid Infiltration Basins and 12-inch Effluent Main Project with Ames Construction, to extend the contract duration by 121 days due to material procurement delays associated with American Iron and Steel available products. (David Bruketta)

Utilities Director, David Bruketta gave an update on the project, which is running behind due to the shortage of the required American iron and steel. They are at the mercy of the supplier and they are hoping these products will arrive in April. This is the best info they have as of today.

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

Comm. Henderson motioned to approve Change Order No. 1, for the Aspen Creek Rapid Infiltration Basins and 12-inch Effluent Main Project with Ames Construction, to extend the contract duration by 121 days due to material procurement delays associated with American Iron and Steel available products.

Comm. Hendrix seconded.

Motion passed 5-0.

19. County Manager

19.a. For Possible Action: Approve Task Order C, between LYON COUNTY, NEVADA and ARMSTRONG CONSULTANTS, INC., providing for professional engineering services for the Silver Springs Airport for Pavement Maintenance of Runway 6/24 and Taxiway A, in the amount of $73,980.00.

County Manager Andrew Haskin stated this is for the grant they apply for every year for maintenance of the Silver Springs Airport.

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

Comm. Keller made a motion to approve Task Order C, between LYON COUNTY, NEVADA and ARMSTRONG CONSULTANTS, INC., providing for professional engineering services for the Silver Springs Airport for Pavement Maintenance of Runway 6/24 and Taxiway A, in the amount of $73,980.00.

Comm. Henderson Seconded.

Motion passed 5-0.

19.b. For Possible Action: Approve letters of support on behalf of the Board of Commissioners for Community Project Funding requests.
County Manager Andrew Haskin stated these are the funding requests they will be submitting this week.

Comm. Jacobson questioned if some of this is stemming from the Consultants in Washington D.C. Andrew Haskin replied it is.

Henderson. Thanked Andrew Haskin for his hard work and getting these ready so quick.

Comm. Hockaday has already signed nine of these and they will have them out by Thursday.

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

Comm. Keller motioned to approve letters of support on behalf of the Board of Commissioners for Community Project Funding requests.

Comm. Henderson seconded.

Motion passed 5-0.

20. Clerk/Treasurer

20.a. For Possible Action: Approve contract with Bid4Assets for five years for online county tax sale auction and allow the Clerk/Treasurer to sign the contract.

Clerk/Treasurer Staci Lindberg reported that in reviewing the auction processes and wanting to upgrade and make the sales more successful, she reached out to other Counties and 13 of 17 counties are using Bid4assets and have had great success using this company. Bid4assets is a no pay company. There are no fees to us and they take care of the entire auction. Currently Lyon County only advertises in local newspapers required by NRS. Bid4assets advertises nationwide. They currently have a list of 850,000 registered bidders and 13,000 of those are in Nevada. They currently send out 450 emails weekly to try to get new bidders. Auction day in the Clerk Treasurer’s office is extremely chaotic from what she has been told; they have to verify funds, collect money, verify vesting, and get deed information. Bid4assets does it all for us at no charge. Bidders are charged 10% to cover the fees. Nye County just had a sale of small properties from the previous years that could not sell. Nye put the properties on Bid4assets and they all sold over the asking price. Staci Lindberg noted that after one year, the excess funds could go into the general fund to help fund the county. She also gave the statistics on how much Bid4assets has increased the number of bidders and the profits received due to this. If Lyon County is unhappy with Bid4assets, services can be cancelled after the first year.

Comm. Hendrix confirmed that the cost would be on the buyer, not the county. Staci Lindberg confirmed this and also noted they could cancel a property the day before sale at no charge.
Comm. Hockaday thanked Staci Lindberg for her initiative, the positive changes she has brought, and the increase in income and activities she is looking into to save money.

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

Comm. Henderson motioned to approve contract with Bid4Assets for up to five years for online county tax sale auction and allow the Clerk/Treasurer to sign the contract.

Comm. Hendrix seconded.

Motion passed 5-0.

21. Human Resources

21.a. For Possible Action: Approve the addition of one new classification to the Deputy District Attorney Classification series, and amend the compensation plan by adjusting the salary ranges for classifications within this series.

Comm. Keller stepped out for a moment.

Eric Milavsky stated that recruiting and retaining attorneys has been a challenge over the last few years. Demand exceeds supply. He stated it is difficult to hang on to attorneys who are very marketable in other places. In the last five years, they have had nine attorney separations. Six of those attorneys went to other counties for more pay and shorter commute. Exit interview feedback is good when it comes to the workplace culture. Money and commute are the primary issues why employees leave. It is being proposed to add one tier class to the job family so Deputy District Attorneys have the ability to promote every three and five years of service. There are two reallocation of pay ranges, Senior Deputy D.A. and Chief Deputy D.A. The fiscal impact if this motion was made active today would be under $8,000.00. There is more than that available in the budget because of savings due to carrying vacancies the office has had the entire fiscal year.

District Attorney Steve Rye stated this pay rate is consistent with other counties. He did recognize there is a fiscal impact; however, it will be beneficial in the long run. The department would appreciate if this could be approve this fiscal year if possible.

Comm. Hockaday asked for public participation. There was none.

Comm. Hockaday commented that we do need to be able to compete with other counties. It is a loss for Lyon County if employees are always leaving and new employees have to be trained all the time.
Comm. Keller motioned to approve the addition of one new classification to the Deputy District Attorney Classification series, and amend the compensation plan by adjusting the salary ranges for classifications within this series as presented.


Motion passed 5-0.

22. Agenda Requests
Comm. Keller requested that volunteer groups be formally recognized.

Comm. Henderson requested that before they fill the next planning commission seat he would like a geographic synopsis of projects before the planning commission.

Comm. Jacobson requested applicants for the planning commission be able to speak before the board. He would also like all the volunteer groups and staff that have helped during the weather events formally recognized.

Comm. Hockaday has some requests in the works and will bring them to a future meeting.

23. Commissioner Comments
Comm. Henderson gave his sympathy and congratulations to his wife for their wedding anniversary today.

24. Closed Session
There was no closed session.

25. Public Participation
There was none.

26. Adjourn
Comm. Hockaday adjourned the meeting at 11:41 a.m.

LYON COUNTY BOARD OF COMMISSIONERS

DAVE HOCKADAY, Chairman

STACI LINDBERG, Lyon County Clerk/Treasurer

LYON COUNTY BOARD OF COMMISSIONERS

ATTEST

STACI LINDBERG, Lyon County Clerk/Treasurer

Lyon County Board of County Commissioners
March 16, 2023