

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

**1. Roll Call**

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

**2. Invocation by John Poundstone**

John Poundstone of the Restoration Church gave the Invocation.

**3. Pledge of Allegiance**

**4. Time Certain**

**4.a. Time Certain at 9:15 A.M: Presentation given by John Dibble and Rebekah Graham for ROP (Right of Passage).**

John Dibble and Rebekah Graham, Program Director for Sierra Sage Academy, which is the Right of Passage Residential Treatment Center, presented a power point. Rebekah Graham said they deal with girls 14 to 17 years of age with a history of trauma. The girls participate in a variety of programs. She explained how they encourage the girls to engage with the community. She said they have a very successful treatment program. There have been 172 girls in the facility during the past three years. They are Medicaid funded. These girls do not have juvenile probation issues.

Comm. Gray and Comm. Hastings commented on the girls being well behaved and a joy to be around.

County Manager Jeff Page said he has a position on the Right of Passage (ROP) advisory board. They have been good neighbors in the community.

**4.b. Time Certain at 9:30 A.M: For Discussion and Possible Action- NEVADA DEPARTMENT OF TRANSPORTATION (NDOT) ANNUAL ROAD PROJECTS PRESENTATION Consideration of, discussion and possible acceptance of NDOT's upcoming Fiscal Year Work Program.**

- **Power Point Presentation**

William Hoffman of NDOT showed a power point presentation on their work plan. He said animal crossings are going up all over the state. He explained the study on wildlife collisions. He talked about economic development in the northern and southern part of the state. He said there are more people commuting out of Lyon County than are commuting into the county. He said that most of the pavements are in fair conditions. The majority of money is being spent on projects. He discussed Interstate 11. He talked about the major concerns in Lyon County. He discussed development in Fernley. He commended Lee Bonner and the planning staff.

There was discussion regarding a bike path in Fernley along Farm District Road and Hardy Lane. These are federal grant funds for this project.

Lee Bonner of NDOT also discussed the bike path.

Comm. Alt asked about the speed limit on USA Parkway.

William (Bill) Hoffman said they are working on drop offs for USA Parkway. He said that Dustin Homan is outstanding and extremely pleasant to work with.

Comm. Hunewill had questions regarding the bridge replacement on Minister Road.

Comm. Hastings asked about the rapid flashing signal in Dayton. He also discussed wildlife being removed from highways.

Comm. Mortensen moved to approve NDOT's annual work program for Lyon County for the upcoming fiscal year. Comm. Gray seconded and the motion passed 5 – 0.

**4.c. 9:45 A.M. Public Hearing- Bill No. 18-03: For Possible Action: To approve an ordinance amending Title 3 Boards and Commissions, Chapter 1 Citizen Advisory Boards; Section 3 B Appointment by removing language that requires the Citizen Advisory Board to recommend members; and Section 3 E Vacancies by removing language that requires the Citizen Advisory Board to recommend members; and other matters related thereto.**

**- BILL NO. 18-03, ORDINANCE NO. 599**

County Manager Jeff Page said that amending the ordinance would then make the board of commissioners the final decision for appointment of advisory board members. It would also speed up the process.

Comm. Mortensen moved to approve an ordinance amending Title 3 Boards and Commissions, Chapter 1 Citizen Advisory Boards; Section 3 B Appointment by removing language that requires the Citizen Advisory Board to recommend members; and Section 3 E Vacancies by removing language that requires the Citizen Advisory Board to recommend members; and other matters related thereto. Comm. Alt seconded and the motion passed 5 – 0.

## **5. Public Participation**

Ron Kennedy of Stagecoach spoke on behalf of the proposed Desert Wells project. He commented on additional funding for schools with the increase in students due to the project. He also commented on other additional services that will be required if the Desert Wells subdivision is constructed. He hopes the commissioners will take these issues into consideration before approving this project.

James Cooley commented on Proposition 3 and asked who was going to fill the hole for taxes or will there be another property tax increase next year.

C.J. Gueldner of Storey County near Dayton asked about televising the commissioners meetings.

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

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

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

County Manager Jeff Page said that Mike Workman will be retiring the end of May 2018. He started in 2004. He complimented Mike Workman on the stupendous job that he did during his time with Lyon County. He complimented his leadership and honesty. He has been a real leader in the community. Lyon County has been called out for assistance in larger counties. He said the project in Dayton on the removal of septic tanks was highly successful. He said that Mike is

an organization chart kind of guy. Jeff Page approached Mike Workman about becoming the Public Works Director. He promoted Dustin Homan and Tim Ogle into leadership positions. He feels that Mike Workman is the unofficial Mayor of Dayton. Jeff Page presented Mike Workman with a plaque as a token of his appreciation.

Mike Workman said thank you and appreciated the cooperation from staff. He said that working with Josh Foli, Steve Rye, Jeff Page and other county staff has been very rewarding. He talked about meeting with Farr West regarding waste water. He talked about calls and assisting others. He is proud of what has been developed during his time with Lyon County. He said the county has an awesome staff. He is looking forward to his future and said that he and his wife Julie will be staying in the community. He said thank you to everyone and “Happy Trails” to all. He said he will be staying on a couple of water boards he has been serving on.

The commissioners thanked Mike for his service to Lyon County and his friendship.

Edrie LaVoie read an e-mail from Shari Whalen into the record complimenting Mike Workman and the help she received from Mike Workman. She thanked Mike for his service. She talked about the culture change in Lyon County under Mike’s direction. She also thanked Mike Workman for all of his tremendous help and service. She feels that Mike was a quiet and steady leader for Lyon County.

County Manager Jeff Page presented the Government Financial Achievement award to Comptroller Josh Foli. He said that Josh Foli has been instrumental in the annual budget process. He said that Josh Foli has received this award every year since he has served as Lyon County Comptroller.

The commissioners also thanked Josh Foli for what he does.

## **8. Commissioners/County Manager reports**

Comm. Alt said the Endangered Species Act has to be redone since it was denied by the Fish and Wildlife Service. He also said there will be a campo meeting on public transportation. He also said the Legislature Committee on Public Lands will be meeting in Hawthorne tomorrow.

Comm. Mortensen was happy to hear that Storey County was doing a study on the revenue that TRI is producing in their county. He also commented on the Main Station Farm in Reno and the College of Ag and a resolution that is being prepared.

## **9. Elected Official’s reports**

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

Edrie LaVoie Human Services Director honored the Community Health nurses in Lyon County and said they do a phenomenal job in the county. Julie Dums, of Fernley, Therese Litterer of the Yerington and Silver Springs clinics, and Patty Chambers of the Dayton clinic were present. They are state employees that work for Lyon County. There were recently recognized at a national level for their services.

Julie Dums RN in Fernley discussed vaccination needs and requirements. Negative fears were being publicized several years ago but the vaccinations are required to attend the public schools.

## **11. Advisory Board reports**

### **11.a. Mason Valley Advisory Board**

Andy Sichak a member of the Dayton Events Center said they are back in action. They are working with the commissioner to improve the events center in Dayton. They are meeting on the second Tuesday of each month. They are working on some water issues and hope to produce a valid events center.

**CONSENT**

**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 5-17-18 Unsecured.**

**- Comm Delete 5-17-18 Secured.**

Secured Property factual corrections totaled \$381.49 and Unsecured Property factual corrections totaled \$285.38.

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

**13.a. For Possible Action: Approve Minutes**

**- Minutes for May 3, 2018**

**14. Contracts**

**14.a. For Possible Action: Approve agreement with Circle P Rodeo Company and Nathan Pudsey, Lyon County and The Boys and Girls Club of Mason Valley for the bull riding at the Night in the Country.**

**- B&GC Bull Riding Contract**

**14.b. For Possible Action: Approve a license agreement for one year, effective June 1, 2018, with Highlands Wireless Inc. to lease space at the Rawe Peak Communications Site.**

**- Highlands Wireless License Agreement Rawe Peak**

**14.c. For Possible Action: Approve a license agreement for one year, effective June 1, 2018, with Highlands Wireless Inc. to lease space at the Pine Grove Communications Site.**

**- Highlands Wireless License Agreement Pine Grove**

**14.d. For Possible Action: Approve contract with BB Enterprises in the amount of \$4,600 to provide entertainment services at the 2018 Lyon County Fair & Rodeo.**

**- BB Enterprises Contract**

**14.e. For Possible Action: Approve a contract with Ancestry.com Operations Inc. to make historical newspaper images available online at no cost to the County.**

**- Newspaper Archives Digitization & Publication Contract**

**15. Grants**

**15.a. For Possible Action: Accept grant award for supplemental funding from Aging and Disability Services Division (ADSD), Aging and Disability Resource Center (ADRC) in the amount of \$17,615.**

**- FY18 ADRC Supplemental Funding Grant Award**

**15.b. For Possible Action: Accept grant award for the Stay Strong, Stay Healthy Program from the State of Nevada, Department of Health and Human Services, Aging and Disability Services Division (ADSD), in the amount of \$32,200.**

- **FY18 Stay Strong Stay Healthy Notice of Grant Award**

**16. Other Consent Items**

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

- **Claims Report 4-16-18 to 4-30-18**

- **Cash Report 4-30-18**

The cash balance as of April 30, 2018 totaled \$53,767,971.09. County claims totaled \$727,915.46 and payroll totaled \$936,884.99.

**16.b. For Possible Action: Review and accept travel claims.**

- **Travel Report 4-16-18 to 4-30-18**

Travel claims totaled \$8,311.08.

**16.c. For Possible Action: Approved the Amended G4S Security Services Agreement with the Lyon County Sheriff's Office for Justice Complex Services.**

- **G4S Security Services for Lyon County Contract 2018**

**16.d. For Possible Action: Accept 2 sewer easements that are required to accommodate a sewer force main and the relocation of the Sutro sewer lift station.**

- **BCB Easement**

- **Sbragia Easement**

Comm. Mortensen moved to approve the consent agenda as presented, Items #12 through #16.d. Comm. Gray seconded and the motion passed 5 – 0.

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

**REGULAR AGENDA**

**17. Advisory Board Appointments and Resignations**

**17.a. For Possible Action: Appoint one member to the Mosquito Abatement Advisory Board, with no term defined. The board recommended appointment of Susan Smith, both she and David Ray applied.**

- **Application for David Ray**

- **Application for Susan Smith**

- **Final Minutes with Recommendation**

Comm. Mortensen moved to appoint Susan Smith to the Mosquito Abatement Advisory Board, with no term defined. Comm. Alt seconded and the motion passed 5 – 0.

**18. County Manager**

**18.a. For Possible Action: To provide staff with direction to develop an Advisory question for the 2018 general election asking the voters to determine whether or not Title 5 Chapter 3 should be rescinded in order to end legalized prostitution in Lyon County.**

County Manager Jeff Page said there was a request to place this issue on the agenda. He explained some of the history of legalized brothels in Lyon County. He said that brothels have been legal in Lyon County since 1971. Jeff Page said he has been with Lyon County for 33 years and to his knowledge, the board of commissioners has not made any significant changes to the ordinance. They have addressed anything pertaining to health concerns. There is a petition to do a referendum or freeze the county code so the only way it could be changed is through the vote of the people. The board usually goes along with vote of the people. He explained how referendums work. He doesn't feel this would be the best way to handle anything to do with brothel issues. He said that in the past, the board has gone along with the vote of the people. He would like to see a question on the ballot that would be easily understood. He stated that he has no personal view in regards to the ordinance. He has had discussions with a number of people who are either involved with the industry or some involvement with the petition. He explained how Churchill County handled a similar situation in their county in 2004. He explained that a yes vote would direct the commissioners to rescind the ordinance, therefore closing brothels, and a no vote would direct the commissioners not to rescind the ordinance, thus keeping the brothels open. He recommended that the board make a motion to approve the agenda item to bring the item back in June to have it on the ballot.

Comm. Gray had questions.

County Manager Jeff Page explained the enacting of the ordinance in 1971 established locations where the brothels could be located.

Comm. Hastings moved to direct staff to bring back language at the next county commissioners' meeting with the possibility of placing this on the ballot in November. And also direct staff to keep it extremely clear, clean and short, so we don't confuse the public. Comm. Mortensen seconded the motion.

**PUBLIC COMMENT:**

C.J. Gueldner said she hopes the commissioners consider the economic issue that is going on.

Denise Berumen said she is in support of a ballot question.

Christopher Turbeville said he is in agreement with rescinding the original request for a referendum if the advisory question goes on the ballot. He appreciates the commissioners for listening to their concerns.

Garry Leist is happy with the advisory question being placed on the ballot.

Joe Johnston said he is in support of advisory question.

Paul Grim is in support of people being allowed to vote on this issue.

John Poundstone of Fernley is in favor of the ballot question.

John Pitzner is in favor of the ballot question.

Kevin Webster of Yerington Vineyard Fellowship supports the people being able to vote.

**END PUBLIC COMMENT:**

Joe Mortensen asked people to refrain from calling after 9:00 p.m. and before 6:30 a.m. He appreciates the public input.

Comm. Gray applauded the people for getting involved.

The commissioners expressed some of their comments.

County Manager Jeff Page said the commissioners are voting to place this on the ballot in November to get the public's wishes.

Comm. Hastings called for the vote and the motion passed 5 – 0.

**18.b. For Possible Action: To review and approve or disapprove of Commissioner Alt's Travel to Washington DC for the Legislative NACO Conference in April 2018**

Comm. Gray moved deny Commissioner Alt's request for Travel to Washington D.C. for the Legislative NACO Conference in April 2018. Comm. Mortensen seconded and the motion passed 5 – 0.

**18.c. For Possible Action: Discussion and possible action to move July 5, 2018 Board of County Commissioners meeting to another date.**

Comm. Gray made a motion to move the July 5, 2018 Board of County Commissioners' meeting to Monday, July 9, 2018.

The motion died for lack of a second.

There was no action taken.

**19. Utilities**

**19.a. For Possible Action: Discuss a request presented by the Utilities Director for the Board to authorize staff to work with Robert Elston, a property owner in Silver City who has requested that the County create a private perpetual easement or relinquish a portion of the County parcel that can be used for a septic tank leach field. If approved, any and all associated costs will be paid by the Mr. Elston.**

- Requested Silver City Easement

Mike Workman explained the time and survey work that was done in Silver City. He explained the leach fields in Silver City and discussions with Mr. Elston. He said the parcel involved in the leach field request from Mr. Elston and whether it would be legal. Mike Workman is asking for staff to work with Mr. Elston and Farr West Engineering. He said that all costs would be bore by Mr. Elston. He is requesting that the board work with the district attorney's office and other county staff to see if this is legal. There would be no permanent above ground structures. It would be a perpetual easement since it would be a leach field.

The commissioners expressed questions and concerns.

Comm. Gray moved to approve the request presented by the Utilities Director for the Board to authorize staff to work with Robert Elston, a property owner in Silver City who has requested that the County create a private perpetual easement or relinquish a portion of the County parcel that can be used for a septic tank leach field. If approved, any and all associated costs will be paid by the Mr. Elston. Comm. Mortensen seconded and the motion passed 5 – 0.

**20. Other**

**20.a. For Possible Action: Approve an Operating Agreement with the Dayton Comstock BMX, Inc, a Nevada Non-Profit for 2.5 acres of property adjacent to the Dayton Skateboard Park to be used as a BMX Pump Track.**

- **BMX Agreement**

Mike Workman presented and said there are some minor issues that the District Attorney is working through. He discussed the liability insurance issues. He recommended authorize District Attorney Steve Rye and Comptroller Josh Foli to work with Jaime Kunkle on the details of the insurance as an operations person. It is a recreation facility and is non-motorized equipment so hopefully they can work out the issue of the liability insurance.

Comm. Gray moved to approve an Operating Agreement with the Dayton Comstock BMX, Inc. a Nevada Non-Profit for 2.5 acres of property adjacent to the Dayton Skateboard Park to be used as a BMX Pump Track; with final approval coming from Comptroller Josh Foli after all the issues have been worked out. Comm. Mortensen seconded and the motion passed 5 – 0.

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

**21. Public Participation**

There was no public participation.

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

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

- **Claims Report 4-16-18 to 4-30-18**
- **Cash Report 4-30-18**

The cash balance as of April 30, 2018 was \$352,864.45. There were no claims or payroll.

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

**23. Public Participation**

There was no public participation.

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

**24. Public Participation**

There was no public participation.

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

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

- **Claims Report 4-16-18 to 4-30-18**
- **Cash Report 4-30-18**

The cash balance as of April 30, 2018 was \$390,560.47. Claims totaled \$137.70 and payroll totaled \$3,298.43.



Comm. Mortensen moved to approve the claims and financial report as presented. 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 4-16-18 to 4-30-18**

- **Cash Report 4-30-18**

The cash balance as of April 30, 2018 was \$119,063.12. Claims totaled \$79.95; 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 4-16-18 to 4-30-18**

- **Cash Report 4-30-18**

The cash balance as of April 30, 2018 was \$306,590.89. Claims totaled \$18,990.00; 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 4-16-18 to 4-30-18**

-	Cash	Report	4-30-18
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The cash balance as of April 30, 2018 was \$1,904,680.88. Claims totaled \$8,765.24; 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.

**35. Public Participation**

There was no public participation.

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

**36. Commissioner Comments**

Comm. Alt asked if his mileage would be covered when he attends the Public Lands meeting in Hawthorne.

Comm. Hunewill said there will be a NACO meeting tomorrow.

Comm. Hastings let everyone know that he will be participating chili cook-off in Virginia City.

**37. Closed Session pursuant to NRS 241.015(3)(b)(2) - Closed Session to receive information from the District Attorney regarding potential or existing litigation involving a matter over which the Board has supervision, control, jurisdiction or advisory power, and to deliberate toward a decision on the matter (requested by District Attorney)**

**38. Public Participation**

There was no public participation.

**39. Adjourn**

The meeting was adjourned.

**LYON COUNTY BOARD OF COMMISSIONERS**

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**BOB HASTINGS, Chairman**

**ATTEST**

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