



LYON COUNTY CITIZEN ADVISORY BOARD HANDBOOK

Welcome to the Lyon County Citizen Advisory Board!

You have accepted an important responsibility to help Lyon County government be responsive to the needs of your neighborhood and community. This handbook has been prepared in an effort to help you better understand the purpose of Citizen Advisory Boards (CAB), along with your responsibilities and duties.

Lyon County has provided this copy of the handbook for you to keep. It is presented in a loose-leaf format so that it may be updated as needed. Feel free to make notes, underline, and use it as a working tool and guide. It should prove to be a valuable resource to you during your term on the Citizen Advisory Board.

Citizen Advisory Boards are an invaluable source of information and feedback for Lyon County's elected and appointed officials. Your decision to become involved in and improve our local government is an admirable one. On behalf of the Board of County Commissioners, we would like to thank you for your participation.

Sincerely,

Lyon County Board of Commissioners

District I: Wes Henderson
District II: Vida Keller
District III: Ken Gray
District IV: Robert Jacobson
District V: Dave Hockaday

27 S. Main Street
Yerington, Nevada 89447
Phone (775) 463-6531

INTRODUCTION

Citizen Advisory Boards help to identify issues of importance to their communities and facilitate the flow of information between the Board of County Commissioners and the public. With a growing population and diversification of interests, it has become increasingly difficult for the five County Commissioners to identify, prioritize, and address the concerns of their constituents. You can help the Commissioners be more aware of the concerns of your community and issues that impact the County as a whole.

Secondly, we need the advisory boards to increase public awareness and citizen participation on issues impacting their communities. Our goal is for citizens to better understand decisions made by County Commissioners, and to ensure that their voices and input are heard and considered in connection with those decisions.

The CAB Chair is the primary contact person responsible for communication with the Board of County Commissioners. Other CAB Board members are generally expected to direct communication through the Chair but may communicate directly in the event of the Chair's unavailability or as otherwise necessary. Nothing herein restricts the right of any CAB member to make public comment or express his/her views in accordance with state and federal law. A list containing the name of each board member, along with contact information, and the CAB's meeting times is available for public distribution. Contact the Commissioners' office at 775-463-6531.

Areas of concern to a CAB may include neighborhood cleanup, animal control, land development, garbage pickup, park development, rezoning, street lighting, and annexation, youth programs, helping the Road Division set priorities for street paving and maintenance, and many others. Essentially, a Citizen Advisory Board may address any issue that is of concern to the community.

While Citizen Advisory Boards study and give input on these types of public issues, they are not responsible for the actual preparation of policies or programs. Their purpose is to communicate ideas and concerns to the County Commissioners. The Commissioners retain all decision-making authority vested in them under federal, state, and local laws, codes or regulations.

Monthly CAB meetings to discuss issues and concerns are open public meetings. These meetings are a forum for people with varying backgrounds, experiences, and preferences to be heard on issues that relate to their communities. CABs are expected to make every effort to create an atmosphere that is open, tolerant, and ultimately conducive to this purpose. CABs may place reasonable time, place, and manner restrictions on the speech of their attendees but should

never prohibit speech on the basis of the speaker's viewpoint. In addition, the CAB meetings are subject to the rules and requirements of the Nevada Open Meeting Law.

CABs are otherwise governed by the bylaws adopted by the Board of County Commissioners. These bylaws function largely as a set of standard operating procedures for the conduct of CAB meetings and affairs. CABs have discretion within the bylaws to operate in a manner that accomplishes their core purpose: to encourage public input in government and facilitate the presentation of that input to Lyon County's elected governing body.

The Board of County Commissioners will appoint CAB members for staggered two-year terms beginning January 1 of each year. The area of responsibility for each Citizen Advisory Board is defined by boundaries that have been established through resolution adopted by the Board of County Commissioners when each board was formed. Some CABs also have specific geographic "sub-areas" of responsibility within their boundaries to further define an area for a CAB member's seat.

Additional information regarding the operation of CABs is set forth herein and in the bylaws. The Commissioners believe that citizens can and should make a real contribution to County government, and it is in this spirit that the Commissioners offer this guidance on the efficient and effective operation of CABs.

VOLUNTEER STATUS

As a CAB member, you are considered a volunteer of Lyon County. This means you are providing service to the County for civic, charitable, or humanitarian reasons without any expectation of compensation other than paid expenses or nominal fees or benefits as may be allowed. Some of your core rights and responsibilities as a volunteer are set forth below.

- 1 If a civil action is brought against you alleging an act or omission within the course and scope of your volunteer service, you may request a defense and indemnification. This request must be made in writing to the District Attorney within 15 days after service of the summons and complaint.
- 2 If you are injured within the course and scope of your volunteer duty, you will be covered by the County's workers' compensation system. In the event of such an injury, you must immediately notify Lyon County Human Resources and follow the procedures and instructions of Lyon County and its workers' compensation claims administrator.
- 3 If you are involved in an accident or an incident in the course and scope of your volunteer duties which results in property damage or injury to any person, you must contact the Comptroller's Office or the County Risk Management Division (463-6510) within three working days of the accident or incident. Risk Management personnel will guide you through the appropriate follow-up steps.
- 4 You are required to be familiar and comply with the portions of the Lyon County personnel policies pertaining to volunteers, including but not limited to the policies pertaining to ethics, use of County property, harassment, discrimination, drug and alcohol use, and workplace violence. Lyon County's personnel policies are available online (<https://www.lyon-county.org/569/Policies-and-Labor-Contracts>) or through Lyon County Human Resources.

Other rights and responsibilities are set forth under applicable laws, regulations, and codes, in Lyon County's policies, in this handbook, and/or in the CAB's bylaws.

INTERACTION WITH LYON COUNTY MANAGER'S OFFICE

The County Manager's office provides the primary administrative assistance to the CABs. Other County departments will assist and provide information to a CAB on specialized issues. It is important to remember that communication with County staff is no substitute for direct contact and communication with the County Commission. Staff assistance serves to supplement and aid in such communication, not to replace it.

Field trips for CAB members shall not be taken unless the trip has been authorized by the County Manager's Office. The County is responsible for organizing the field trip and providing transportation to and from the field trip site. A County staff member from the organizing County agency must accompany the CAB members on the field trip. The field trip must also be noticed as a public meeting and comply with the Nevada Open Meeting Law requirements.

Below are examples of common CAB tasks on which the CAB may work with the County Manager's Office:

- ✓ Advertise membership vacancies quarterly
- ✓ Coordinate appointments of applicants
- ✓ Facilitate open communication between Advisory Boards, government agencies and other citizens
- ✓ Monitor publication of each board agenda, minutes, audio and Notice of Posting
- ✓ Arrange for board membership trainings
- ✓ Coordinate with the County Commission for the approval of modifications to resolutions
- ✓ Arrange special community meetings regarding topics or issues of critical importance
- ✓ Purchase and send required items necessary for board business. E.g. paper and ink (Please notify the office to request supplies)
- ✓ Copy of the Master Plan elements and the appropriate area plan(s) with color map inserts, free of charge
- ✓ Maps will be provided to each board upon request by the Chair. (1) 36" x 48" unmounted color display Land Use Map, (1) 36" x 48" unmounted color display Citizen Advisory Board boundary map, (1) 11" x 17" unmounted color display area-wide Citizen Advisory Board boundary map
- ✓ Provide administrative assistance

BEST PRACTICES

CAB members are expected to do the following when conducting their affairs and operations.

- ✓ Notify the appropriate Lyon County department when the Board wishes staff to attend a meeting. The request for staff attendance and/or a County Commissioner should be made two weeks before the scheduled meeting
- ✓ Utilize the County email address assigned to you, for board business and communication with County staff
- ✓ Email agendas the day before required posting day by 1:00 pm
- ✓ Submit a *Meeting Cancellation Notice* to the Liaison to be posted to the Lyon County website and board (Also, notify staff and Commissions of meeting change)
- ✓ Turn in final minutes, agendas, audio and notice of posting monthly to the Manager's Office, and save to the Google Share drive
- ✓ Utilizing the Letter of Transmittal to communicate with the Commissioners to report recommended direction of concerns within your community
- ✓ Forward any correspondence to the County Manager/County Commission office for the public record files
- ✓ Attend Board of County Commissioner meetings and participate when applicable to give Advisory Board Reports

NON-COMPLIANCE

Non-compliance with the above best practices or with any other requirement in this handbook may result in termination of service as a CAB member. The County Manager's Office will provide non-compliant members with written notice of non-compliance. In the event of three instances of non-compliance, an agenda item will be presented to the Board of County Commissioners to discuss the non-complaint member's continued service on the CAB.

Nothing in this section shall be construed to limit the Board of County Commissioners' authority regarding CAB appointments, censures, or removals. The Board of County Commissioners reserves the right to exercise that authority to the fullest extent permitted by law. The intent of this section is thus not to provide any type of due process entitlement to CAB members, but rather to establish a framework for ensuring that repeated infractions of this handbook (even those that would not alone warrant termination of service) are brought to the Board's attention.

TRAINING

Periodically, Lyon County will provide training to familiarize CAB members with Open Meeting Law and the administrative process. It is required that all newly appointed and the Chairman attend administrative training yearly. Staff will organize multiple trainings per year to accommodate the requirement. All board members must attend an Open Meeting Law training session once yearly. One will be provided by Lyon County staff annually. Failure to comply with this requirement, or excused by the Chairman due to unforeseen events, may result in removal.

E-MAILS

Lyon County has established group email addresses for each board to utilize as a means of communication between staff, the Board of County Commissioners and the public. The Chairman is responsible for disseminating the contents to board members. When using County email, the following is expected:

- Do not delete emails
- Do not “reply all” to emails that include all board members or otherwise conduct discussions with a quorum of Board members electronically
- Respond to emails at the next scheduled board meeting as needed for discussion
- If you receive a CAB related email to your personal email address, forward the email to the CAB email, and then reply

OPEN PUBLIC MEETINGS

CABs are subject to the Nevada Open Meeting Law and as such are responsible for complying with all open meeting law requirements under NRS 241.

CAB members should be familiar with the Nevada Open Meeting Law Manual and should reference that manual frequently when preparing meeting notices and conducting their affairs. The manual is available here: http://ag.nv.gov/About/Governmental_Affairs/OML/. CAB members are strongly encouraged to utilize the Compliance Checklist beginning on page 8 of the manual to ensure compliance with Open Meeting Law requirements. In addition, CAB members are encouraged to seek guidance from the County Manager’s office as necessary. The following section of this handbook is intended to provide an overview of the Open Meeting Law requirements but is not exhaustive. It is the responsibility of CAB members to ensure compliance with all Open Meeting Law provisions.

Notice of Meeting:

As set forth in the Open Meeting Law Manual, the notice of meeting must be posted at the principal office of the CAB and at least three other prominent locations no later than 9:00 a.m. three working days before the meeting. The notice must include a statement regarding assistance and accommodations for physically handicapped people. Additionally, the notice must include the **time, date, place** and **location** of the meeting. It must also include or be accompanied by a Notice of Posting certifying a list of the places where the notice was posted (sample language below).

NOTICE OF POSTING

Name of Board

Time, date, place, and location

I, _____, certify that the attached agenda was posted by me at the following location(s):

Lyon County Courthouse, 31 S. Main Street, Yerington, NV 89447

Date: _____ Time: _____

Lyon County Administrative Bldg. 27 S. Main Street, Yerington, NV 89447

Date: _____ Time: _____

Yerington City Hall, 102 S. Main Street, Yerington, NV 89447

Date: _____ Time: _____

Yerington Post Office 26 N. Main Street, Yerington, NV 89447

Date: _____ Time: _____

Signed: _____

Agenda Requirements:

The substance of the notice is the agenda. All meeting notices must contain a clear and complete agenda of all topics to be discussed or considered. The agenda should be concise, but inclusive enough to give the public fair notice of the matters to be discussed. The agenda must also designate periods for public comment. Additionally, the agenda must inform the public that items may be taken out of order, combined for consideration, or delayed or removed at any time.

Topics not properly noticed on the agenda cannot be discussed at a CAB meeting.

Sample agenda language is below:

**NAME OF BOARD
DAY/DATE/TIME
LOCATION/BUILDING & ADDRESS
AGENDA**

(Action will be taken on all items unless otherwise noted)
(No action will be taken on any item until it is properly agendized).

To avoid meeting disruptions, please place cell phones and beepers in the silent mode or turn them off during the meeting. The Board reserves the right to take items in a different order to accomplish business in the most efficient manner. Items may be combined for consideration and items may be pulled or removed from the agenda at any time. Restrictions on comments by the general public: Any such restrictions must be reasonable and may restrict the time, place and manner of the comments, but may not restrict comments based upon viewpoint.

1. Call to Order
2. Roll Call: Determination of a Quorum
3. Pledge of Allegiance
4. Public Participation (no action will be taken on any item until it is properly agendized) - It is anticipated that public participation will be held at this time, though it may be returned to at any time during the agenda. Citizens wishing to speak during public participation are asked to state their name for the record and will be limited to 3 minutes. The Board will conduct public comment after discussion of each agenda action item, but before the Board takes any action.
5. For Possible Action: Review and adoption of agenda
6. For Possible Action: Approve Minutes of **DATE**
7. Community Reports
8. For Discussion & Possible Action: Special Use Permits
 8. a. Add STAFF DOCUMENTATION
- STAFF OBSERVATIONS
9. Correspondence
10. Chair & Board Member Comments
11. Public Participation (no action will be taken on any item until it is properly agendized) - It is anticipated that public participation will be held at this time, though it may be returned to at any time during the agenda. Citizens wishing to speak during public participation are asked to state their name for the record and will be limited to 3 minutes. The Board will conduct public comment after discussion of each agenda action item, but before the Board takes any action.
12. Adjourn

This agenda has been posted in accordance with the open meeting law at the following locations: **ADD MEETING LOCATION AND AT LEAST 3 ADDITIONAL PHYSICAL LOCATIONS**

Meeting Minutes:

The County Manager's will keep written minutes of meetings for at least five years. The following requirements and guidelines apply to the keeping of minutes:

- Include the date, time and place of the meeting
- Members in attendance and those who are absent (The Chair should state whether any absent member's absence is excused or unexcused)
- State the substance of all matters proposed, discussed or decided
- Reflect each member's issues and concerns on any matter

- Reflect each member's vote on any matter
- Substance of remarks made by members of the general public who address the body if so requested by that person
- Information requested to be included in the minutes
- *Minutes should reflect what happened at the meeting.*
- Minutes belong to the CAB, and are not open for comment from the audience under the section of the agenda to approve the minutes
- Minutes must be approved in total
 - If a portion of the minutes are questioned, the entire set of minutes should not be approved until the questionable section is clarified or corrected as necessary
 - The corrections will be reflected in the current meeting's set of minutes and approved at the following meeting
- Information regarding an item on the agenda of a past meeting cannot be submitted for inclusion in the minutes after the minutes of that meeting have been approved
- The gist (not verbatim) of spoken comments will be reflected in the minutes
- If a speaker desires that his/her written comments be part of the public record,
 - The speaker must read the comments verbatim, specifically request that the written comments be included in the public record, and
 - Provide a copy of the written comments to the Chair (or recording secretary)
 - These written comments will be either reflected verbatim in the minutes or will be attached to the minutes
- All other information provided by a speaker or citizen (e.g. handouts, pictures, correspondence, etc.) should be provided to the Chair (or recording secretary) for inclusion as part of the CAB meeting's public record
 - These documents will be kept in the public file repository, but will not be a part of the minutes

It is the CAB Chair's responsibility to forward any correspondence noted on the minutes/record to the County Manager/County Commission office for the public record files.

The law provides that the minutes are public records and have permanent value. The minutes must be retained by the public body for five years. The Commissioner's/County Manager's office is the public body designated to retain these records for the Citizen Advisory Boards. The minutes must be available for public inspection within 45 working days after adjournment of the meeting. Meetings must be recorded in addition to the written minutes. The recording of the meeting must also be made available for public inspection. The audio tape must also be retained by the County Manager's for three years.

Guidelines for Conducting Effective Meetings:

- There must be a quorum of members present in order to conduct a meeting. State Law defines a quorum as a simple majority of the constituent members of a public body
- The CAB Chair should control the meeting
- Follow process as outlined for Virtual Meetings (Zoom)
- The Chair should make sure everyone has a chance to speak under appropriate items, but can limit the time and content
 - If the person speaking is repeating concerns already expressed by another, the Chair can so state and limit that person's time. Use courtesy and common sense.
- The Chair runs the meeting; the audience does not. It is up to the Chair and his/her colleagues on the CAB to decide how or if input from the audience is presented to the Board of County Commissioners.
 - However, the CAB should communicate all sides of any discussion and ensure that its presentations to the Board of County Commissioners are accurate, fair, and complete.
- When addressing Lyon County Staff or the public, the Board members shall remain professional and courteous at all times
- The Chair can call a recess or adjourn the meeting, with a motion and approval by the rest of the CAB, if the crowd is so disruptive that the CAB cannot continue to conduct business
- Remember CAB members are not elected officials
 - They are listeners to and voices of their communities, and they are not vested with authority to take action on behalf of Board of County Commissioners
- CAB members should be prepared to generate discussion and provide comments on certain issues of interest to the community, irrespective of the popularity of their position or the controversial nature of the issue
- Proxy voting is not allowed
- The Chair can note the receipt of correspondence and summarize the contents, but the correspondence need not be included in the minutes
 - The Chair can request the recording secretary provide follow-up letters
 - If correspondence is noted on the record by the Chair, that correspondence must be available during the meeting for the public to review
 - Public records requests for the correspondence must be referred to the County Manager's/County Commission Office
- Comments from the public during the two public comment agenda items are for matters either on or off the agenda
 - The Open Meeting Law allows CAB members to respond to items raised during public comment items, but does **not allow CABs to take action on them.** However, staff highly recommends that CAB members NOT discuss matters brought up during public comment items to avoid any possibility of an Open

Meeting Law violation for deliberating on an item not properly noticed on an agenda.

- If appropriate, an item raised during public comments may be scheduled for a future CAB meeting.
- Public testimony will be heard on action items
 - This period must be opened by the chair prior to action being taken by the Board, then closed after all have spoken
- Speakers must identify themselves
- Appointment of officers will be held annually or as vacancies occur. The appointment for officers shall be held during a regular CAB Board meeting and will be agendaized. The term of office for each officer will end December 31st. Annual appointment of officers shall be completed by the first meeting in January. Newly appointed officers will assume office immediately upon appointment
 - If a new Chair is elected, the old Chair will immediately relinquish chairmanship of the meeting to the new Chair who will chair the remainder of the meeting
 - A CAB should not elect a member who is not present at the meeting. (However, if an absent member is appointed to an office, the appointment is contingent upon the member agreeing to hold the office)
 - If an absent member is elected as the Chair, the current Chair will remain as Chair until the absent member agrees to hold the office of Chair
 - In the event a vacancy is created during an officer's term, the Board will conduct a special appointment to fill the vacancy at their next regular meeting

COMMUNITY DEVELOPMENT PROCESS

The Citizen Advisory Board meetings provide a public forum within a community to receive input from residents regarding issues affecting their neighborhoods. The reports received from the board meetings are forwarded by the Chair or secretary to the Planning Department for inclusion in the staff reports. The reports are to provide input for consideration by the Planning Commission and the Board of Commissioners with regard to these issues. Advisory Boards do not approve or deny any phase of a project. The Planning Commission and Board of County Commissioners consider the input of the report from the Advisory Boards in facilitating their final decisions.

The Lyon County Code requires Citizen Advisory Boards to be notified of certain development applications within their geographic area of responsibility. These applications include Master Plan Amendments and Specific Plans, Development Agreements, Code Amendments, Parcel Maps, Division into Large Parcels maps and Reversion to Acreage maps, Special Use Permits and Special Use Permit annual reviews, Tentative Subdivision Maps, Zone Changes and Planned Unit Developments and Variances. The applications are distributed to the CABs through the Agency Review process. The advisory board is responsible for scheduling the above mentioned on the agenda for community review. Staff may also provide development applications to a board that they believe may have an impact on a community, even though the Development Code does not mandate notice to the CAB.

If you do not receive any application packets, that usually means there have been no development applications submitted that month within your CAB area. You are welcome to confirm this by calling the Planning Department at 463-6592. If you have reviewed a project at a CAB meeting, it is the responsibility of the CAB Chair to transmit any and all comments derived from the CAB meeting to the Planning Department.

CAB Agendas

Once an applicant formally submits an application for a development project to the Planning Department, an NRS mandated time frame begins. These applications must proceed through the review process within the mandated time frame unless the applicant requests a postponement, continuance or withdraws the application. Therefore, it is very important that these items be placed on the agenda of your next regularly scheduled CAB meeting for review and comment. In most cases, the only other time you will have a chance to comment on proposals is at a public hearing before the Planning Commission (PC) or Board of Commission meeting.

If there are any questions regarding agenda items received from the Planning Department, the chair should contact them to resolve any issues. After the chair has approved the agenda it is then published.

If an application (project) lies within the geographic area of responsibility of your CAB, you will receive an application packet as submitted to the Planning Department.

It is important for the CAB to discuss these development application items at the CAB meeting for which they are scheduled. Again, there is a mandated window of time for review. If you have to postpone an agenda item because the meeting is running long, the postponed item should not be an application/project agenda item that has a mandated time review.

For your information, there is **no legal requirement for applicants to attend the advisory board meetings**, even though staff strongly encourages their attendance. It is therefore, inappropriate for the board to “deny” a project based on the applicant’s absence from the meeting. The board should allow discussion of the project from both the public and applicant to gather all information to be included in the Letter of Transmittal. This includes questions posed that could not be answered because there was no representation from the applicant. If the advisory board believes there is not enough information to make a recommendation or comment on the application, you should also communicate that in the report. The Planning Commission and the Board of County Commissioners need all the issues and concerns discussed at the advisory board meeting to facilitate their decisions. You can, of course, always speak to the Planning Department or the applicant(s) prior to the meeting for additional information.

For additional information on the Development Application Review Process, please contact the Lyon County Planning Department (775) 463-6592.

LYON COUNTY PLANNING COMMISSION

The Lyon County Planning Commission is a citizen commission appointed by the Board of County Commissioners. The commission acts as an Advisory Council to the Board of County Commissioners in such areas as adoption of the Master Plan and Development Code. The Planning Commission makes decisions on special use permits, approves tentative, and exercises other responsibilities as set forth in Lyon County Code. Planning Commissioners can be contacted by writing a letter of Transmittal and submitting the report to the Community Development and County Manager's office via email.

BOARD OF COUNTY COMMISSIONERS

The Board of County Commissioners is the legal governing body of Lyon County. The board consists of five members elected from individual districts in the County for a staggered four-year term. All Commissioners can be contacted via email or by submitting a letter of Transmittal report to the County Manager's office. As of calendar year 2021, the Commissioners are as follows:

- District I: Wes Henderson, whenderson@lyon-county.org
- District II: Vida Keller, vkeller@lyon-county.org
- District III: Ken Gray, kgray@lyon-county.org
- District IV: Robert Jacobson, rjacobson@lyon-county.org
- District V: Dave Hockaday, dhockaday@lyon-county.org

Websites:

The [Agendas](#), Citizen Advisory Board Handbook and minutes are available online at the [Lyon County Website](#).

[Citizen Advisory Board Ordinances, Bylaws & Resolutions](#) can be found online at the Lyon County Website in County Codes.

Statutes can be found at the [Nevada Legislature website, CHAPTER 241 - MEETINGS OF STATE AND LOCAL AGENCIES](#).

The [Nevada Open Meeting Law Manual](#) can be found at [The Official Nevada Attorney General Website](#).

Lyon County Website: www.lyon-county.org

Nevada Legislature: <https://www.leg.state.nv.us/NRS/NRS-241.html>

The Official Nevada Attorney General Website: <http://ag.nv.gov/>



LYON COUNTY PERSONNEL POLICY ACKNOWLEDGEMENT

I understand that I am expected to read and understand this handbook, the Citizen Advisory Board bylaws, the Lyon County personnel policies, and the applicable portions of the Lyon County code. I further understand that I am governed by these documents, and that failure to comply may result in termination of my volunteer service. I acknowledge that I am providing this service freely, for civic, charitable, or humanitarian reasons, and without any expectation of compensation. I understand that I have no property right in the continuation of my volunteer service and that such service is terminable at-will by me or by Lyon County. If I have questions concerning the applicable governing documents or my role as a Citizen Advisory Board member, I will bring it to the attention of the Lyon County Manager's Office.

I also understand that Lyon County may change, rescind or add to the applicable governing documents without prior notice, at the sole and absolute discretion of Lyon County, provided such changes, rescissions and/or additions are not prohibited by law.

Citizen Advisory Board Member Signature

Date

Print Name