The Honorable Board of Lyon County Commissioners met this day with the following present: Comm. Vida Keller, Comm. Ken Gray, Comm. Wes Henderson, Comm. Robert Jacobson, and Comm. Dave Hockaday. Also present: County Manager Jeff Page and District Attorney Steve Rye.

1. Roll Call

Present: Vida Keller, Ken Gray, Wes Henderson, Robert Jacobson, and Dave Hockaday

2. Invocation given by Thomas Walburn of the Sweet Water Christian Fellowship

Thomas Walburn was not in attendance and there was no invocation.

3. Pledge of Allegiance

4. Public Participation

George Robinson asked for clarification on the curbside service for the Fernley Senior Services Center.

5. For Possible Action: Review and adoption of agenda

Comm. Henderson moved to approve the agenda as presented. Comm. Gray seconded and the motion passed 5-0.

Comm. Keller recessed the meeting at 9:08 a.m. for a closed session in the County Manager's office due to a closed litigation matter with the District Attorney. She read into the record: Closed Session pursuant to NRS 241.015(3) (b) (2) - *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.*

6. Time Certain

6.a. Time Certain at 9:00 A.M. Public Hearing- Bill No. 21-01: For Possible Action: Approve an ordinance An ordinance amending Lyon County Code Title 1, Chapter 5, by revising provisions relating to the time and place of the board of county commissioners' regular and additional meetings; and, providing for the severability, constitutionality and effective date thereof; and other matters properly relating thereto.
- BILL No. 21-01 Ord. 614
- Newspaper Affidavit

County Manager Jeff Page stated this is following the proposal, and now requires approval of the Board. The language is to provide the Commissioners to have meetings in different locations.

Comm. Henderson moved to approve Bill No. 21-01, to approve an ordinance amending Lyon County Code Title 1, Chapter 5, by revising provisions relating to the time and place of the board of county commissioners' regular and additional meetings; and, providing for the severability, constitutionality and effective date thereof; and other matters properly relating thereto.

Comm. Jacobson seconded.

Comm. Keller opened the meeting for public comment.

Public Comment:
Russ Wright stated the Friends of Old Town Dayton will provide lunch at the first meeting in Dayton.

The motion passed 5-0

6.b. Time Certain at 9:30 AM: For Possible Action: Presentation on Mental Health Awareness Month (Shayla Holmes and Heather Benson, Lyon County Human Services).

Human Services Director Shayla Holmes gave an update on behavioral health trends.

Human Services Adult Services Division Manager Heather Benson reported on local resources and awareness activities.

6.c. Time Certain at 10:00 AM: Presentation only: From the Mason Valley Fire Protection District, Central Lyon County Fire Protection District, North Lyon County Fire Protection District and the Smith Valley Fire Protection District on the services and functions they provide in their communities. (Requested by Commissioner Jacobson)

Mason Valley Fire District Chief Scott Draper gave a report of their activities. He stated he fully supports the rumble strips item on the agenda.

Central Lyon Fire Protection District Chief Rich Harvey gave a report of their service area, service calls, challenges, COVID impacts, fire suppression operations.

North Lyon County Fire Protection District Chief Jason Nichols gave a presentation of their district's values, staffing, population, vehicles, call volume, budget, revenue sources, and future sustainability and growth.

Smith Valley Fire Protection District Chief Rob Loveberg gave a report of the history and background. He informed the Board of the size of the district, services, staffing, stations locations, facilities, call volume, and challenges.

Comm. Jacobson stated the development of housing within the County is a concern with the infrastructure and emergency services.

Comm. Hockaday thanked their quick response to emergencies and presence in the community.

Comm. Henderson thanked them all for their presentation.

6.d. Time Certain at 10:30 AM: For Possible Action: Accept, amend, or deny the Conservation District Weed Proposal given by Paul Ryan. (Requested by Commissioner Hockaday)
- Weed Proposal

Paul Ryan gave a review of their services. All noxious weed treatment locations are recorded with a GPS unit. He stated that Lyon County has a weed program. He asked the Commissioners to consider entering into an agreement with the Conservation District on all weed control efforts.

Comm. Hockaday stated there is a duplication of effort from the Walker River Weed Control and the Conservation District. He is in favor of reviewing the costs and possibly consolidation.

Jeff Page they have worked together for weed treatment. In the future, there could be a need for change when Bud Stinson retires.

Comptroller Josh Foli gave an overview of the Walker River Weed Control District currently contracts with the Mason Valley Mosquito Control District to have its director oversee both programs and uses seasonal staffing as there is limited funding.

Bud Stinson gave an overview of the program and requested the Commissioners not change it.

Jeff Page recommended bringing back a resolution to address the future.

Comm. Hockaday and Comm. Henderson agreed.

7. Presentation of awards and/or recognition of accomplishments

7.a. For Presentation Only: Recognize the MOST Team for their efforts in reducing mental health crises for the Lyon County communities. (Winona Halloway, Tim Shaffer, Lucrecia Salguero, Alisha Moss, Jesus Santos, Rikki Crider)

Human Services Director Shayla Holmes acknowledged the MOST team and highlighted their efforts and accomplishments.

The Commissioners unanimously thanked them for their community service and efforts.

7.b. For Presentation Only: Recognize Stephanie Wolf, Senior Center Supervisor for her fundraising and community engagement efforts in the Fernley area.

Human Services Director Shayla Holmes recognized Stephanie Wolf, Senior Center Supervisor, for her fundraising efforts and community engagement.

The Commissioner's unanimously thanked her for her community service and efforts.

8. Commissioners/County Manager reports

Comm. Gray stated he is in favor of in person meetings. He acknowledged National Police Week is next week.

Comm. Jacobson gave his condolences to those who have lost family in the line of duty. He reported the amount of children living in multifamily homes and wants to look at aiding these families. He thanked Steve Rye and Erin Lopez for the Open Meeting Law presentation.

Comm. Hockaday attended the Open Meeting Law meeting training given by Steve Rye. He expressed his appreciation for law enforcement and first responders.

Comm. Henderson thanked Law Enforcement. He attended the Mound House and Dayton Regional Advisory Board meetings. He thanked them for their services.

Comm. Keller was in favor to have the meeting open to the public today.

County Manager Jeff Page introduced Louis Cariola, he is the newly hired Planner. The Night in the Country Event representatives have communicated they are not using the Bybee Lane location for the 2022 event.

9. Elected Official's reports

9.a. Dayton Justice Court
- Civil, Criminal & Monthly Statistics March 2021

There were no other reports given.

10. Appointed Official's reports

Planner Rob Pyzel reported the State Department of Transpiration will have a public meeting about the US-50 Dayton Operational study.

Comptroller Josh Foli gave a report of the Cares funding, and recommended to be conservative. He gave an update for the Dayton sewer bonds, they are waiting on the property for the effluent to process. There will be a bond ordinance brought for adoption. The Silver Springs GID rates will need to be evaluated to keep up with the inflation.

Comm. Hockaday asked when the concealed carry rate is increasing to $4.00.

Josh Foli stated it will be agendized for July.

Comm. Gray asked if there grant possibilities for water and sewer and if there are any prepayment penalties for bonds.

Josh Foli gave an update of the current status and is monitoring.

11. Advisory Board reports

Dayton Advisory Board Chairman Gina Lee reported they had a meeting, and she thanked Comm. Henderson for attending.

Dayton Valley Events Center Christie Fernquest stated they have not had a meeting yet. She anticipates to have others to apply to be on the board.

CONSENT AGENDA

Comm. Gray moved to approve the consent agenda items #12.a – 16.f.

Comm. Henderson seconded.

Comm. Keller 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 Property corrections totaled $500.74 and Unsecured Factual Corrections totaled $407.66.

13. For Possible Action: Approve County Commission Minutes

13.a. For Possible Action: Approve the April 1, 2021, April 14, 2021, and the April 15, 2021 minutes.

Comm. Henderson moved to approve the April 1, 2021, April 14, 2021, and the April 15, 2021 minutes.

Comm. Gray seconded.

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

14. Contracts

14.a. For Possible Action: Approve Interlocal agreement to provide public safety mutual aid between the Pyramid Lake Paiute Tribe and the County of Lyon. In regards to Law Enforcement matters.

14.b. For Possible Action: Approve a two-year contract with Washoe Legal Services in the annual amount of $100,000 to provide indigent legal services for child advocacy and adult guardianship cases.

14.c. For Possible Action: Approve Memorandum of Understanding for Tactical Paramedic support to the Lyon County Sheriff's Office and North Lyon County Fire Protection District

14.d. For Possible Action: Approve a deductive change order with Sletten Construction in the amount of $77,307 for the Animal Shelter.

14.e. For Possible Action: Approve contract between Lyon County and Nevada Division of Public and Behavioral Health to provide public health services in Lyon County, in an amount not to exceed $165,986.40 per year from July 1, 2021 through June 30, 2023.

14.f. For Possible Action: Approve agreement between Lyon County and the City of Yerington whereby the City of Yerington will allow Lyon County to install fiber in connection with the water and wastewater project underway in the City of Yerington.
Interlocal Agreement Fiber Project - Q&D - Lyon County - City of Yerington

15. Grants

15.a. For Possible Action: Accept the Subaward Amendment #1 from the State of Nevada, Department of Health and Human Services, Division of Public and Behavioral Health, for SFY2021, in the amount of $223,408.00 a reduction of $16,832.00 to the Nevada Home Visiting Program in Lyon County.

15.b. For Possible Action: Accept FY2021 Federal Transit Administration (FTA) 5339 (Capital Purchases) Agreement funding in the amount of $73,732, with County matching funds in the amount of $13,011, for a replacement vehicle and accept the vehicle into the County fleet.

15.c. For Possible Action: Accept revised grant award from Nevada Department of Business & Industry, Housing Division for FY2021, in the amount of $66,310.00, for the Emergency Solutions Grant – CARES, to provide emergency shelter operations, homeless prevention, and rapid rehousing services to homeless persons and families who are at risk of homelessness.

16. Other Consent Items

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

The cash balance as of April 15, 2021 was $68,542,924.63. County claims totaled $651,015.82 and payroll totaled $1,389,871.45.

16.b. For Possible Action: Review and accept travel claims.
- Travel Report 4-1-21 to 4-15-21

Travel claims totaled as of April 15, 2021 was $455.46.

16.c. For Possible Action: Approve Sierra Nevada Construction to install pre warning rumble strips on Miller Ln and Aiazzi Ln in the amount of $13,900.00.

16.d. For possible Action: Approve to go out to bid for the 2021 RTC Project in the Dayton / Mark Twain areas for chip sealing, slurry sealing, crack sealing and striping and approve the proposals from Farr West for bid preparations, bidding and construction management and

Lumos & Associates for the testing and inspections. The total amount will be paid from RTC budget.

16.e. For Possible Action: Approve the purchase of new evidence scanners and software for the Sheriff's Office in the amount of $3,952.76, to be funded from a contingency transfer.

16.f. For Possible Action: Approve the Clerk/Treasurer's Affidavit to Commissioner's that the Clerk/Treasurer's Office mailed the property tax delinquency notices/tax due notices as required by Nevada law.

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

PLANNING CONSENT ITEMS - (ACTION WILL BE TAKEN ON ALL ITEMS)

17. Planning Consent Items

17.a. For Possible Action: Acceptance of the Offer of Dedication for a portion of Upper Colony Road, located in Wellington, NV, adjacent to APN 010-261-13 as described in Deed #621507

Comm. Henderson moved to approve the Final Subdivision Map for COPPER CANYON ESTATES, PHASE 3, located in Dayton, NV (APN 029-021-41), not including road rights-of-way which have been offered for dedication and will not be accepted by the County until at least 90% of the lots within the respective unit have been developed, the improvements are inspected and approved by the County, and the County accepts the improvements for maintenance.

Comm. Jacobson seconded.

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

The motion passed 5-0.

****END OF PLANNING CONSENT APPLICATIONS****

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

18. Planning

18.a. For Possible Action: Arryn, Inc. – Zoning Map Amendment- Request to allow a change the land use designation from MHP (Manufactured Home Park), C-1 (Neighborhood Commercial) and C-2 (General Commercial) to HCMU-R (Highway Corridor Mixed Use) for six (6) parcels totaling approximately 17.59 acres located at 6790, 6800, 6810 S. Highway 95A, Silver Springs, NV (APN: 017-133-12/-13/-14/-15/-16/-17) (PLZ-2021-042).

Senior Planner Rob Pyzel gave a report of the application request to allow a change of land use designation from MHP, C-1 and C-2 to HCMU-R for six (6) parcels totaling approximately 17.59 acres. By majority vote, the Planning Commission voted to forward a recommendation of approval.

Dave Snelgrove gave an overview of the application submitted. He asked for the change to designate parcels as Highway Corridor Mixed Use. They are aware of the necessary upgrade for traffic, water, and sewer. The proposed future market upgrade is anticipated to create 15 to 20 new full-time jobs. The Chevron/ExtraMile represents an estimated $5.5 million investment. It would provide a new gasoline and diesel filling location south of Ramsey/Weeks Cutoff.

Comm. Keller disclosed she met with Dave Snelgrove to discuss the concerns from the community. She stated the Advisory Board reported the concern of water, sewer, and the driveways. Her concern is how the traffic will be mitigated. She wanted a formal agreement with NDOT to address the driveways and traffic prior to approving the Zone Change. Comm. Keller stated she is concerned with the public's safety. She is in favor to continue the application, and asked if the applicant would agree.

Rob Pyzel stated NDOT will not make a statement as the parcels are now. He does not believe they will give a recommendations on a zoning recommendation. They will review once there is a change in use.

Comm. Jacobson commented the applicant would need approval from the Board to then obtain approvals from NDOT.

Dave Snelgrove gave a statement the Board has an opportunity, in the future, for an administrative appeal if needed. He understands the concern given from Comm. Keller. He requested for them to work together with NDOT and not delay the project.

Rob Pyzel confirmed there can be an appeal made.

Applicant Puneet Kalia stated he understands the concerns and he wants to protect the community with the recommended standards of traffic safety.

Comm. Keller stated if it were possible she would recommend to add a condition, but you cannot condition a Zone change.

Comm. Henderson stated he is in support and the Board can be active in monitoring the project.

County Manager Jeff Page stated the Administrative Review would need to be signed off by the Development Director, and he is that person. There are administrative procedures to help mitigate it. He recommended to work with NDOT and the applicant.

Comm. Henderson moved to approve the Arryn, Inc. – Zoning Map Amendment- Request to allow a change the land use designation from MHP (Manufactured Home Park), C-1 (Neighborhood Commercial) and C-2 (General Commercial) to HCMU-R (Highway Corridor Mixed Use) for six (6) parcels totaling approximately 17.59 acres located at 6790, 6800, 6810 S. Highway 95A, Silver Springs, NV (APN: 017-133-12/-13/-14/-15/-16/-17) (PLZ-2021-042).

Comm. Jacobson seconded.

Comm. Keller opened public participation.

Public Participation:

Russ Wright stated he is in support of the project.

Scott Keller stated the community was concerned the area was not designed for traffic.

Comm. Keller closed public comment.

The motioned passed 4-1, with Comm. Keller opposed.

18.b. For Possible Action: Jeffery & Melissa Oji – Zoning Map Amendment - Request to allow a change the land use designation from RR-3 (Third Rural Residential- 5 acre minimum) to RR-2 (Rural Residential – 2 acre minimum) for an approximately 5.00 acre parcel located at 180 Como Lane, Dayton, NV (APN: 019-442-04 (PLZ-2021-045).

Senior Planner Rob Pyzel The applicant has submitted a Zoning Map Amendment application to change the current zoning on the subject parcel currently 5.0 acres in size from RR-3 (Third Rural Residential – 5 acres minimum) to RR2 (Rural Residential – 2 acres minimum) in order to allow for the subdivision of the existing 5.0 acre parcel into two approximately 2.5 acre parcels. The current land use designation of the area of Dayton where the parcel is located is Rural Residential. The proposed zoning map amendment is not compatible to the existing and planned development. By majority vote the Planning Commission voted to forward a recommendation of denial.

Applicant Melissa Oji stated there are several vacant open parcels. There has not been development activity. They are requesting if they can change the zoning. It would not negatively impact the neighborhood.

Applicant Jeffery Oji expressed his concern it would add value to the neighborhood. And to have a quality of life for their family.

Arty Oji expressed his desire to live close to his grandchildren.

Comm. Keller stated the zoning is for a 5 acre minimum.

Comm. Jacobson stated he cannot support the request when it cannot be done for the neighborhood.

Comm. Jacobson moved to deny Zoning Map Amendment - Request to allow a change the land use designation from RR-3 (Third Rural Residential- 5 acre minimum) to RR-2 (Rural Residential – 2 acre minimum) for an approximately 5.00 acre parcel located at 180 Como Lane, Dayton, NV (APN: 019-442-04 (PLZ-2021-045).

Comm. Hockaday seconded.

Comm. Gray asked if there is another option.

Rob Pyzel stated there is only a temporary usage to aid for an ill family member and the dwelling would have to be removed.

The motion passed 5-0

****END OF PLANNING APPLICATIONS****

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

19. Board Appointments and Resignations

19.a. For Possible Action: Accept resignation from John Crites from the Dayton Valley Advisory Board.

Comm. Gray moved to accept resignation from John Crites from the Dayton Valley Advisory Board.

Comm. Henderson seconded.

Comm. Keller asked for public comment and there was none.

The motion passed 5-0.

19.b. For Possible Action: Appoint a member to the Planning Commission, with a term expiring December 31, 2024.
- Betty Retzer, Application
- Constantine Kuzmicki, Application
- Jerry Culwell, Application
- Norman Lee, Applications
- Peggy Quigg, Application

Comm. Keller moved to appoint Constantine Kuzmicki to the Planning Commission, with a term expiring December 31, 2024.

Comm. Hockaday seconded.

The motion passed 5-0.

19.c. For Possible Action: Appoint a member to the Library Board of Trustees, with a term expiring June 30, 2024.
- Dana Ulhorn, Application

Comm. Jacobson moved to appoint Dana Ulhorn to the Library Board of Trustees, with a term expiring June 30, 2024.

Comm. Gray seconded.

Comm. Keller asked for public comment and there was none.

The motion passed 5-0.

19.d. For Possible Action: Appoint Commissioner Ken Gray as an Alternate to the Intergovernmental Executive Committee (IEC) contained in the FY2021 National Defense Authorization Act for Naval Air Station Fallon - FRTC Modernization, with a term expiring December 31, 2025.

Comm. Henderson moved to appoint Commissioner Ken Gray as an Alternate to the Intergovernmental Executive Committee (IEC) contained in the FY2021 National Defense Authorization Act for Naval Air Station Fallon - FRTC Modernization, with a term expiring December 31, 2025.

Comm. Keller seconded.

Comm. Keller asked for public comment and there was none.

The motion passed 5-0.

20. County Manager

20.a. For Possible Action: To give direction to the County Manager regarding potential changes to Title 15 and other matters related thereto. (Requested by Comm. Keller)

Comm. Keller requested to review accessory usage.

Comm. Gray he asked if the County Manager could speak with the Oji family to gather information on accessory use.

Comm. Jacobson stated his concern is creating additional compounds.

20.b. For Possible Action: To approve, amend or deny Resolution 21-09 A Resolution of the Lyon County Board of Commissioners directing staff to bring forth draft language to amend Title 15 of Lyon County Code to reduce the usage of Neighborhood Residential (NR) zoning 4500 square foot minimum lot size. (Requested by Commissioner Keller and Commissioner Gray)

Comm. Keller read the resolution into the record.

Comm. Henderson asked if this resolution is to direct staff to draft language to be considered by the Board at a later date; this does not remove the NR zoning classification; and any future requests will go through the planning development process.

Comm. Keller confirmed he is correct and stated that it is adding to the designated character districts.

Comm. Henderson asked for an overview of a request for zoning and the planned unit development process.

Planner Rob Pyzel answered the planned unit development process is regulated by state statute and Lyon County Code. It is a two-step process, tentative and final approval.

Comm. Gray moved to approve resolution 21-09 as presented.

Comm. Hockaday seconded.

Comm. Keller opened the meeting for public comment.

Public Comment:

Barney Wadley testified the community has expressed their concern to have larger lots. He is in favor 9,000 square foot lots.

MaryAnn Sichak appreciated the Board has listened to the community and supports the resolution.

George Hendrix is in favor of larger lots and he does not want future development to strain resources.

Russel Wright gave his experience in development. He is opposed to the placement of where they want to develop the lots. They should be strategically placed with the larger lots, integrating them together.

Rich Harvey, Central Lyon Fire Chief, is in favor of planned development, and of the resolution.

Amanda Brinnand is in favor of the rural community, and she is in favor of the resolution.

Susan Panksi, Stan Lucas representative, read her statement into the record.

Vicky McCormick is concerned about the increase in traffic and pollution, and she is in favor of the larger lot sizes.

Aaron West wanted to clarify the developer's position. They are wanting to work with the communities and also give affordable housing.

Comm. Keller closed public participation. She acknowledged the participation received from the community and the developers. She wanted to clarify the resolution is not eliminating the 4,500 square foot lots.

The motion passed 5-0

20.c. For Possible Action: Discussion and direction to staff and Legislative Coalition Members regarding legislation or legislative issues proposed by legislators or by other entities

permitted by the Nevada State Legislature to submit bill draft requests, or such legislative issues that may impact Lyon County as may be deemed appropriate by the Board of County Commissioners.

County Manager Jeff Page reviewed the Bill requiring criminal justice hearings to 24 hours. He understands the purpose of it, however, the County doesn't have the staffing or resources. His concern is taking the right away to be given bail. Staff is proposing to increase the timeframe. The China Springs and the gun Bill is moving forward. DSFS requested an additional 50k and then 100k.

Comptroller Josh Foli gave a report on the Bill for the Department of Taxation to levy a fee on.

20.d. For Possible Action: To provide the County Manager direction to address the development of future Solid Waste Management Franchise Agreement(s) for unincorporated Lyon County.

County Manager Jeff Page asked the Board how they want the agreement to be drafted. He wants to have an RFP or RFQ written within the parameters of the needs of the community and the Board. He recommended to have the meeting open for public comment, to gather input and to bring the item back.

Comm. Gray wanted the copy of meeting minutes and for that information to be incorporated into this meeting and for an agreement to be available today.

Comm. Jacobson is in favor of a workshop.

Jeff Page reported the contract with Waste Management is 18 months out to the end of the agreement. They had sent a letter in 2018 for a continuance of the agreement. In the contents of letter it extended five years. The letter was addressed incorrectly and cannot confirm if the letter had been received by his office.

Comm. Henderson asked if they hadn't responded to the letter, does it legally tie the County to the five year agreement.

Jeff Page stated he would have the District Attorney's office do a legal review.

Comm. Keller commented the Board agreed to do a workshop.

Waste Management Representative Kendra Kostelecky commented to the Board she is available for questions and wanted to work with them.

Comm. Keller opened the meeting for public participation.

Public Comment:

Erich Obermayer asked to speak in regards to Legislative issues. He wants the Bills they will speak on to be agendized.

Eddie Lortan asked for workshop and for it to be available for the stakeholders. He is not in favor of the monopoly a franchise creates.

Pam Robinson asked for an update for the outcome of the letter and the timeframe of the RFP at the workshop.

Comm. Keller closed public participation.

21. Comptroller

21.a. For Possible Action: Approve a travel policy for members of the Lyon County Board of Commissioners.

Josh Foli stated he has presented what he believes the current practice is. The policy will outline what the Commissioners agree to pay as expenses.

Comm. Gray commented any legitimate County business, that the Chair can approve the expense.

Josh Foli reported that in the past, a Commissioner had attended all the CAB meetings, and the Board had stated at that time, that's why they have CAB reports. If they chose to attend a meeting, it was at their expense.

Comm. Jacobson stated he would agree to past practices.

Comm. Gray commented he would be agreeable to certain CAB meetings of importance. For it to read, for Chair approval outside of their district. He also stated there are meetings such as legislative hearings they need to be present for.

Comm. Henderson requested for language if they attend a meeting not approved it is on their dime.

Jeff Page gave a recommendation if a registration or hotel reservations is paid, and the Commissioner does not show up, it could be reimbursed by the Commissioner.

Comm. Gray agreed to not have CAB meetings as paid mileage.

Comm. Gray moved to approve the item as presented.

Josh Foli asked if he can bring this item back with the added language. He does agree to have the added language to testify for a litigation matter.

Comm. Gray retracted his motion.

Comm. Keller opened the meeting for public participation.

Public Participation:
Andy Sichak gave his testimony on the importance of the Commissioners to be at the advisory board or other meetings, and should be compensated.

Comm. Keller closed public participation.

22. Human Services

22.a. For Possible Action: Approve a Proclamation declaring May as Older Americans Month (Shayla Holmes and Rebecca Williams).

Human Services Directory Shayla Holmes gave an overview of the support given from staff to seniors. She reported the services provided of meals, vaccines, homemaker and transportation. On May 17th the Senior Centers are opening.

Comm. Jacobson thanked them for all their department does for the seniors.

Comm. Gray asked if March for Meals is rescheduled.

Shayla Holmes stated there could be an event arranged and have the Commissioners participate.

Comm. Hockaday thanked them for their services to the senior population.

Comm. Keller read the proclamation into the record.

Comm. Gray moved to approve a Proclamation declaring May as Older Americans Month.

Comm. Henderson seconded

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

The motion passed 5-0.

23. Sheriff

23.a. For Possible Action: Approve the purchase of a body scanning machine for the jail in the amount of $181,500, to be funded from a budget transfer from contingency.

Comptroller Josh Foli stated he supports the request as a risk management perspective.

Comm. Gray asked why this is coming forward as a request now.

Sherriff Frank Hunewill stated there were recent events in the jail facilities and this is needed for safety.

Comm. Henderson moved to approve the purchase of a body scanning machine for the jail in the amount of $181,500, to be funded from a budget transfer from contingency.

Comm. Jacobson seconded.

Comm. Keller opened the meeting for public comment.

Public Comment:
Andy Sichak does this eliminate a body cavity search.

Frank Hunewill confirmed that it does in some circumstances.

The motion passed 5-0

24. Other

24.a. For Possible Action: Appoint a temporary chairman to the Dayton Valley Fairgrounds Events Center Advisory Board. (Requested by Comm. Gray)

Comm. Gray moved to appoint Christie Fernquest as the temporary chairman to the Dayton Valley Fairgrounds Events Center Advisory Board.

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

24.b. For Possible Action: To give direction for the Citizen's Advisory Board Training 2021, obtaining compliance for the board members.

Jeff Page stated there is concern with members who do not attend. Does the Board want the language to be as mandatory or not.

Comm. Keller stated she does want the language to state as mandatory training.

Comm. Gray stated he is willing to relieve them of their position if they do not complete their training.

Comm. Henderson asked about the language given in the backup for the chairman to excuse them of their absence. He is not in favor of that.

Citizen Advisory Board Liaison Erin Lopez stated the language is in there for the purpose of the CAB Chair to report to the Board. In some cases a member could have a family emergency or be on maternity leave and should have documentation of the occurrence. She asked for direction to obtain compliance. If the Board states the training along with the Handbook given is satisfactory, then no further action is required. They can give the CAB's the videos and receive the acknowledgment of completion.

Comm. Gray is in favor of them obtaining the video and receiving an acknowledgment. If needed to do an in person video.

Comm. Henderson requested for there to be a form to be filled out with questions and answers returned from the attendee.

Comm. Keller agreed with Comm. Gray and Henderson.

Jeff Page commented in the future staff can work with Pool Pact on training.

Comm. Keller opened public comment.

Public Participation:
MaryAnn Sichak recommended to have on the application the purpose of the role and are they aware of the rules with a signature.

Jeff Page stated the application does not have the language, but the Bylaws and the CAB Handbook does.

Russ Wright gave a comment the application should be signed. The last page of the handbook should be signed and returned.

Silver Springs Advisory Board Chairman Scott Keller stated it is hard to get people to sign up for the advisory boards. The CAB's do need to be more active and the community needs open meetings for that. He is in favor of more trainings for the boards.

Dayton Valley Advisory Board Chairman Gina Lee expressed her gratitude for the training received. She is in favor of a test for the trainings.

Comm. Keller closed public comment.

25. Agenda Requests

Comm. Gray asked for a resolution recognizing law enforcement.

26. Commissioner Comments

Comm. Gray stated he will not be at the next meeting and will try to join via Zoom.

27. Closed Session pursuant to NRS 241.015(3) (b) (2) - ***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.***

There was an additional closed session.

28. Public Participation

There were none given.

29. Adjourn

Comm. Keller adjourned the meeting.

LYON COUNTY BOARD OF COMMISSIONERS

Vida Keller

VIDA KELLER, Chairman

ATTEST

Nikki Bryan

NIKKI BRYAN, Lyon County Clerk/Treasurer

Public Comment for Lyon County BOCC 5.6.21 Meeting, Item 20-B

Susan Pansky with Project One for the record. I represent Stan Lucas in all of his land interests in Lyon County. I have comments in opposition to the proposed resolution in addition to those voiced in the letters submitted by our attorneys, Holland and Hart and Allison MacKenzie.

Our Sage Vista project has an approved settlement agreement and adopted Specific Plan that includes 7,500 square foot lot sizes that will require underlying zoning of NR. The proposed resolution will have significant impact on the Sage Vista project and will effectively prohibit the development of these previously approved lot sizes. This resolution seems to be a deliberate attempt to direct staff to legislate around the approved smaller lot sizes in the Sage Vista project and we will use all legal means available to us to maintain our property rights should an ordinance such as what is proposed pass.

Additionally, I strongly disagree with the notion that PUDs would remain an effective way to create smaller lots in future residential zoning districts and specifically for Sage Vista for two reasons.

1) First, in the case of Sage Vista, we have an extensive handbook that contains design standards, clustering, open space and public facilities that would typically also be achieved through the PUD process. It is unnecessary to force us into a PUD process to obtain the lot sizes that are already contemplated in the specific plan, and it creates a burden for all parties by requiring two separate design handbooks to regulate future development.

2) And second, the current PUD standards in Title 15 prohibit the use of open space and roads in the density calculations, which means that densities in a PUD would be artificially inflated by being based on net land area instead of gross land area. This completely defeats the purpose of the PUD, which is to allow flexibility in lot sizes and clustering in exchange for a certain percentage of open space for the benefit of the community. It is nearly impossible to maintain the maximum allowed densities of the underlying zoning districts without using open space and roads. This is certainly the case with Sage Vista and will very likely be the case for future PUDs as well, should the minimum lot size for future projects be limited to a minimum of 9,000 square feet.

We are adamantly opposed to the elimination of the NR zoning district for future properties, and the notion that we are being put on notice that the Board will not approve any more zone changes to the NR zoning district, despite the fact that there are still areas within the county that have a suburban residential land use designation where the NR zoning district would be appropriate and could easily meet the required findings of compliance. It is a direct attack on landowners' property rights and deprives them of their due process rights to request zoning that is allowed in code and in compliance with the adopted master plan.

Thank you.