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

1. Roll Call

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

2. Invocation given by Mitch Forester of the Mason Valley Southern Baptist

Mitch Forester gave the invocation.

3. Pledge of Allegiance

4. Public Participation

Russ Wright reported the parade went well. He thanked the Sheriff's office for their assistance, and Jason Graham from the Road Department.

5. For Possible Action: Review and adoption of agenda

Jeff Page requested to pull item 16.a, and Comm. Gray requested to pull 16.c.

Comm. Gray moved to approve the agenda, minus #16.a and 16.c, Comm. Henderson seconded and the motion passed 5-0.

6. Presentation of awards and/or recognition of accomplishments

6.a. For Presentation Only: Recognize the Lyon County Human Services Division Managers (Heather Benson, Jenna Dykes, Jennifer Thomas, and Rebecca Williams) and Program Analyst (Tiffany Mazza) for their collaborative efforts in grant writing and securing additional grant funds to enhance services and continue the mission of Lyon County Human Services.

Human Services Shayla Holmes acknowledged Heather Benson, Jenna Dykes, Jennifer Thomas, Tiffany Mazza, and Rebecca Williams for their efforts in grant writing and securing funds for their department.

7. Commissioners/County Manager reports

Comm. Hockaday thanked Jeff Page for his aid with his questions he had from the community. The Ranger District requested help, and he requested an agenda item for a representative.

Comm. Henderson stated he attended the Mound House and the Dayton Regional Advisory Boards. He will have a report at the next meeting for the National NACO Conference he attended.

Comm. Jacobson thanked Shayla Holmes and her staff for their grant writing. He thanked the City of Fernley for their festivities. He reported the Fernley City Council meeting. He thanked the longevity of the staff.

Comm. Gray stated there was a fatal accident in the Highway 50 Corridor and he encouraged NDOT to help expedite safety measures.

Comm. Keller stated the Fourth of July festivities were good.

County Manager Jeff Page stated the hardware is needed at the Silver Springs location for the Waste Management Meeting. He asked for the Commissioners to send in times he can schedule the meeting. He commented he will agendized the item to appoint Comm. Hockaday to the board because he has forest land in his area. At the next meeting there will be a presentation of longevity to employees. He commented Dagne Stapleton is leaving NACO and a new Executive Director will be hired.

8. Elected Official's reports

There were no reports given.

9. Appointed Official's reports

Senior Planner Rob Pyzel reported he attended a stakeholder meeting for two proposed solar power generator facilities projects coming forward in the lower part of Mason Valley. The Storey County Planning

Commission will hear a request for an application on Pine Nut Drive, and he mentioned the possible impacts to the roads.

10. Advisory Board reports

There was a late backup report submitted by the Smith Valley Advisory Board.

CONSENT AGENDA

Comm. Henderson moved to approve the consent agenda items #12.a – 14.c, minus item 11.a.

Comm. Hockaday seconded.

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

11. For Possible Action: Approve County Commission Minutes

11.a. For Possible Action: Approve the July 1, 2021 minutes.

The item was pulled from the agenda.

12. Contracts

12.a. For Possible Action: Accept grant award from Nevada's Governor's Office of Economic Development (GOED), for the Community Development Block Grant Program (CDBG), to assist with water system isolation valves project for the Silver Springs Mutual Water Company in the amount of $95,036.

12.b. For Possible Action: Approve a subrecipient agreement to use the Community Development Block Grant (CDBG) Funding between Lyon County and the Silver Springs Mutual Water Company in the amount of $95,036.

12.c. For Possible Action: Approve Proposal from Lexipol to manage and update our current department policies and daily training bulletin's. Contract is a one year contract in the amount of $25,970.00, funded by a contingency budget transfer.

12.d. For Possible Action: Approve a contract with Nevada Gunfighters for $1,200 for entertainment services at the Fair & Rodeo.

12.e. For Possible Action: Approve a Memorandum of Understanding with the Lyon County School District for three school resource officers totaling $360,000 for the period July 1, 2021 through June 30, 2022.

12.f. For Possible Action: Approve a three-year contract for inmate medical services with Recon Technologies, Inc., doing business as Recon Health Care Services for the period July 1, 2021 through June 30, 2024, with two optional one year terms, in the amount of $713,000 in year 1, $748,650 in year 2, and $786,082.50 in year 3.

13. Grants

13.a. For Possible Action: Accept grant award from State of Nevada Department of Health and Human Services, Division of Public and Behavioral Health, for FY2022 Mobile Outreach Safety Team (MOST) programs, in the amount of $118,000.00.

13.b. For Possible Action: Accept grant award from Nevada Department of Health and Human Services, Office of Community Partnership and Grants for SFY2022, in the amount of $39,105.00 for the Family Resource Center (FRC).

13.c. For Possible Action: Accept a grant for $3,400 from the Dave & Cheryl Duffield Foundation to pay for standard adoption fees at the Animal Shelter for pet adoptions.

14. Other Consent Items

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

The cash balance as of June 30, 2021 was $79,978,820.42. County claims totaled $983,642.77 and payroll totaled $1,186,020.86.

14.b. For Possible Action: Review and accept travel claims.

Travel claims totaled as of June 30, 2021 was $ 7,954.92.

14.c. For Possible Action: Approve creating four temporary positions to work during the Lyon County Fair & Rodeo to be paid out of the Fair & Rodeo Fund budget.

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

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

15. Board Appointments and Resignations

15.a. For Possible Action: Appoint a member to the Mason Valley Mosquito Abatement District Advisory Board.

Comm. Hockaday motioned to appoint Ed Moreda to the Mason Valley Mosquito Abatement District Advisory Board.

Comm. Gray seconded.

Comm. Henderson asked if there was a term for the appointment.

Erin Lopez stated there are no terms set for this Board.

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

The motion passed 5-0.

16. County Manager

16.a. For Possible Action: Approve the Nevada Agreement on Allocation of Opioid Recoveries.

The item was removed from the agenda.

16.b. 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)

Jeff Page stated there will be an agenda of the drafted ordinances item from the previous requests brought to the Board at the next meeting.

There were no additional requests or comments for the item.

16.c. For Discussion Only: Discussion on voting machines including associated costs and operations. (Requested by Commissioners Gray and Hockaday)

The item was removed from the agenda.

16.d. For Possible Action: Direct staff to begin the application process to change the name of Old Dayton Valley Road to Pres. Trump Way, approve the application and authorize staff to move forward with the process.

Jeff Page stated the last meeting the language for this item was too open and vague. Due to that, it is written in more detail today, and he asked for the Board to correct it before it is an Open Meeting Law Violation. He gave an overview of the item from the last meeting and the possible process to move forward with an application. He advised the public and the Board that the District Attorney has given direction that the letters from public participation must be a part of the record, and aren't required to be read into the record.

Comm. Henderson commented this is to confirm to move forward with the process. He thanked everyone for their comments, but also stated comments from the public should be addressed civilly.

Comm. Hockaday agreed with the comments of Comm. Henderson. He asked that people be thoughtful in comments where it is incriminatory before it is submitted.

Comm. Jacobson thanked staff for their inconveniences. He stated the prior agenda item could have been better written for clearer transparency and communication.

Comm. Gray agreed with the comments before him. He apologized for the previous wording for the agenda item from the meeting prior, and he asked for the language on the agenda. He is disappointed by the threatening or vulgar responses and behavior from the community. His action was meant to be in good intention with the item. He stands by his proposal but wanted to modify it.

Comm. Gray motioned to direct County staff to prepare language for an advisory question, to rename Old Dayton Valley Road to Pres. Trump Way, in Dayton, to be on the next ballot.

Comm. Hockaday seconded.

District Attorney Steve Rye the motion cannot be to put on the issue on the ballot. He clarified the motion is for staff to bring it back at a later meeting as an agenda item to vote to have it on the ballot.

Comm. Keller stated her concern is the agenda item is to go ahead with the application or not. The motion is for a different course of action. It would be a better action to request an agenda item instead of a motion

Steve Rye stated the Board should also address the application in the agenda item. He commented the current motion is related and a lessor action. It does fall under the same subject matter. He recommended to have the discussion on whether the application will move forward, then to address a future agenda item.

Comm. Gray rescinded the motion.

Comm. Hockaday pulled his second.

Comm. Gray motioned to direct staff to begin the application process change the name of Old Dayton Valley Road to President Trump Way, to approve the application and authorize staff to move forward with the process, and to hold it until an advisory question is prepared for the next election.

Comm. Keller did not agree, the application process should not move forward until after the ballot question.

Steve Rye stated the advisory question is not binding and the board would still need to vote. He would not hold the application until after the vote.

Comm. Henderson asked if there is a timeline after the application process has started.

Rob Pyzel answered the application must be reviewed for completeness within three days and then is distributed to other agencies and departments. The application is moved along as quickly as possible to the Planning Commission for a public hearing process. There are statutory guidelines in NRS.

Comm. Gray rescinded his motion.

Comm. Gray moved to approve as presented.

The motion failed for lack of a second.

Jeff Page stated because there is a correction that needs to be made from an Open Meeting Law Violation, there needs to be an action.

Comm. Keller seconded the motion.

Comm. Keller opened the meeting for public comment.

Public Comment:
Lorrie Olson gave her testament of the community and the Board's action. She is in favor.

Yvonne LaPaix stated to keep the name as is because it's historical. It's not financially responsible and is politically motivated.

Johnye Saylor read in a comment from the Soroptimist International of the Comstock from Dayton. She stated the rumor that Comstock Mining would pay for the name change is false.

Barbara Peck gave her account of the history of the road and the community.

Michelle Benko questioned why change it, and wanted to keep it the same.

Leslie Sexton thanked the County Manager and staff for correcting the Open Meeting Law with the item. She is concerned with the financial impacts, and the integrity of President Donald Trump.

Harmon Linsinga stated he respects it's a historical road. He recommended to review other possibilities of another road or park to name the president after. He is in support.

Matt Bowman stated there are other roads or buildings in other states named after presidents.

David Moore opposes the item. He stated it's not in the right location, and should be in a nonpartisan area because of the school and the historical street.

Joshua Skaggs gave his testament to honor the president.

Doug Puniak stated he is in favor of the item.

George Hendrix gave his support of the item and the President.

Maxine McKinnon stated she is not in favor of the item. She stated it is creating opposition in her community.

Stephanie Leist commented she is in support of the item.

George Robinson is not for or against. He stated the Board should work on Pete Hendrichs Road.

Elaine St. John gave her testament of political occurrences, issues and challenges. She is in support of the item.

Mark Tilford stated he is in support of the item.

Alicia Albertson is opposed to renaming the street, and resources could be utilized elsewhere.

Mary Lou Lancaster is not in support of the item.

Tony Stephenson stated he is not in favor of the item and the Board should focus on more important tasks.

Christopher Gonzales stated the proposed name doesn't does not adhere to County Code. He is not in favor of the item, or that it could be appealed by the Board of Commissioners if the Planning Commission denies it.

Kelli Anderson gave her account of the situation and the challenges. She opposes renaming the Dayton Valley street, and another street would be more favorable.

Teresa Jarrett stated she is opposed to renaming Old Dayton Valley Road. It is political and dividing the community. She stated it is protected under a historical act. She is in support of a ballot question.

Edrie LaVoie stated her concern for the Board members to rename roads.

Thomas Selmi stated his concern with the impact to the school and the youth attending at that school.

Tom Toigo is not in support to rename the street after the President Donald Trump.

Lisa Shumway is not in favor and the resources could be spent elsewhere within the community.

Carrie Harrison opposed the renaming of the road and stated it's wasteful to the surrounding buildings. She stated her concern of the street being vandalized.

Steven Ayer stated it's not a good idea and creating controversy within the community. There are more important issues to focus on and it's not of fiscal importance.

Ron Dayton is in support of renaming the street.

Kathy Walkup is not in support of renaming the street. She stated it is not a positive example to the children.

Comm. Keller closed public comment.

Comm. Jacobson gave his concern of the renaming of that street with it being historical. The community should have input on renaming the road.

Comm. Henderson stated he will vote against the renaming of the road. He is in support of renaming a road after the President, but in a more appropriate manner.

Comm. Hockaday agreed with Comm. Henderson. He stated the hate needed to stop on both sides.

Comm. Gray stated the School would need to update their address as of today because it is incorrect. It will not cost the taxpayers any money. He stated the people he had spoken to that were in support didn't feel they could voice their opinion due to repercussions. Comm. Gray stated the road isn't historical because there is not a historic occurrence, it is just old. This issue is not in relation to funding for community events or facilities. In his perception, President Donald Trump was a strong leader. He gave his testament of his support of all Presidents for serving their Country.

Comm. Keller wanted to clarify the item is to direct staff to move forward. It will not change the road today. It is an application process. She gave her support of the President and how he created the Opportunity Zones. She gave an account if Biden's actions as President. She asked if the road could be modified after the application is submitted.

Rob Pyzel stated it could prior to being sent out to agencies and Boards for review.

Jeff Page accredited the Board in handling the controversial item, and appreciated the efforts to keep it professional.

The item failed 2-3. Comm. Hockaday, Henderson and Jacobson were opposed.

16.e. For Possible Action: Approve agreement with Walther Law Offices, PLLC to serve as Lyon County's public defender, effective August 1, 2021.

Jeff Page gave a history of the public defenders in the past to the current contract presented. Staff worked with Walther Law offices to contract the work and to be compliant with the Indigent Defense.

Mario Walther commented they are pleased to continue the services in Lyon County. They are in the process of hiring lawyers to carry the caseload.

Comm. Gray asked if they are certified to handle death penalty cases.

Mario Walther stated they are not at this time.

Jeff Page stated in the last 35 years there was only one death penalty case. There was an outside council appointed. The public defender at the time sat second chair.

Comm. Henderson motioned to approve the agreement with Walther Law Offices, PLLC to serve as Lyon County's public defender, effective August 1, 2021.

Comm. Hockaday seconded.

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

The motion passed 5-0.

17. Comptroller

17.a. For Possible Action: Discussion and direction to staff to bring modifications to the Quarter-Cent Infrastructure Sales Tax Plan and County Code on a future agenda.

Jeff Page gave the Board a report of the jail addition. It is a necessary need for Lyon County. There are overwhelming social and safety concerns. The jail project cannot be currently funded given the general economic condition and viability of the county. Additional funding sources and revenue streams are needed.

Comm. Henderson moved to direct staff to bring modifications to the Quarter-Cent Infrastructure Sales Tax Plan, to include future uses for building infrastructure within Lyon County.

Comm. Jacobson seconded.

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

The motion passed 5-0.

18. Utilities

18.a. For Information Only: Project status update from the Utilities Engineer for second quarter of 2021 (Kishora Panda).

Utilities Engineer Kishora Panda gave an update of projects. He reported the projects in design are the Rolling A Wastewater Treatment Facility Phase 4 Expansion, Sewer Lift Station 2 Replacement, Aspen Creek Rapid Infiltration Basins (RIBs), Sewer Condition and Risk Assessment, Hwy 50 Water Line

Replacement - Phase 1A, Upper and Lower Dayton Tank Rehabilitation, and the Willow Creek Lift Station Liner Rehabilitation. He gave an overview of the project in construction is the Eldorado Pressure Reducing Valve (PRV) Relocation. He reported the projects that are completed are the Hwy 50 Sewer Replacement - Phase 1, and the Rolling A Plant New Influent Flow Meter.

18.b. For Possible Action: To find that Farr Construction Company, dba Resource Development Company (RDC), is the lowest responsive and responsible bidder for the Upper Dayton and Lower Dayton Tank Rehabilitation Project with a bid amount of $292,140; to issue a Notice of Award and Contract to RDC in an amount not to exceed $ 322,140 which includes a $30,000 contingency account controlled by Lyon County Utilities to cover unexpected costs in the project; and to authorize the Utilities Director to sign project-related documents. Project funding will come from the Dayton Water Fund (David Bruketta).

Utilities Director David Bruketta reviewed the bidding process. This project was reviewed by Kishora Panda in the prior mentioned agenda item. He recommended to award the contract to RDC.

Comm. Henderson is concerned with the lower bid, that in the future there could be change orders.

David Bruketta gave a statement of the reasons for the costs differences. He reported staff reviewed the bid with RDC and were satisfied they could meet the requirements of the bid. There is a contingency built into the bid to cover costs.

Comm. Henderson motioned to award contract to Farr Construction Company, dba Resource Development Company (RDC), in the amount not to exceed $ 322,140.

Comm. Hockaday seconded.

Comm. Keller opened the meeting for public comment.

Public Comment:
Russ Wright asked if there is a conflict of interest with Farr Construction being contracted with the County for inspections and engineering, then to be awarded this contract.

David Bruketta answered this is Farr Construction and is a separate entity from Farr West Engineering.

The motion passed 5-0.

18.c. For Possible Action: To find that White Rock Construction, Inc., is the lowest responsive and responsible bidder for the Highway 50 Water Main Replacement, Phase 1A, project in Dayton with a bid amount of $884,521; to issue a Notice of Award and Contract to White Rock Construction, Inc., in an amount not to exceed $884,521; and to authorize the Utilities Director to sign project-related documents. Project funding will come from the Dayton Water Fund (David Bruketta).

Utilities Director David Bruketta reviewed the bidding process. This project was reviewed by Kishora Panda in the prior mentioned agenda item.

Comm. Henderson moved to find that White Rock Construction, Inc., is the lowest responsive and responsible bidder for the Highway 50 Water Main Replacement, Phase 1A, in an amount not to exceed $884,521; and to issue a notice to award contract to White Rock Construction, incorporated in that amount; and to authorize the Utilities Director to sign project-related documents.

Comm. Hockaday seconded.

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

The motion passed 5-0.

18.d. For Possible Action: To adopt the 2021 Water Conservation Plan update for the Dayton Valley Water System that serves the Dayton and Mound House area (David Bruketta).

Utilities Director David Bruketta gave a report of the requirement to update the plan. He stated a change was the way and they are calculating water loss in the system.

Comm. Hockaday moved to adopt the 2021 Water Conservation Plan update for the Dayton Valley Water System that serves the Dayton and Mound House area.

Comm. Henderson seconded.

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

The motion passed 5-0.

19. Agenda Requests

Comm. Henderson requested an update of COVID in Lyon County since May 1st.

20. Commissioner Comments

Comm. Keller stated it was a good meeting even though it was contentious.

21. 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 no closed session.

22. Public Participation

There was none given.

23. Adjourn

Comm. Keller adjourned the meeting.

LYON COUNTY BOARD OF COMMISSIONERS

Vida D. Keller

VIDA KELLER, Chairman

ATTEST

Nikki Bryan

NIKKI BRYAN, Lyon County Clerk/Treasurer