Board of County Commissioners
Lyon County, Nevada

The Honorable Board of Lyon County Commissioners met this day, Thursday, March 6, 2025, at 9:00 A.M. in the LYON COUNTY ADMINISTRATIVE COMPLEX, 27 S. MAIN STREET, YERINGTON, NV 89447.

1. Roll Call

Present: Vice Chair Commissioner Tammy Hendrix, Commissioner John Cassinelli, Commissioner Robert Jacobson and Commissioner David Hockaday

Absent: Chairman Commissioner Scott Keller

Staff Present: County Manager Andrew Haskin, Comptroller Josh Foli and District Attorney Steve Rye

2. Invocation given by John Poundstone of Joy Church

3. Pledge of Allegiance

4. Public Participation

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

5. For Possible Action: Review and Adoption of Agenda

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

Comm. Jacobson moved to adopt the agenda as presented, Comm. Hockaday seconded, and the motion passed 4-0.

6. Presentation of awards and/or recognition of accomplishments
6.a. For Presentation Only: Present Deputy Trevor Bonds with a Meritorious Service Medal

Sheriff Brad Pope presented Present Deputy Trevor Bonds with the Meritorious Service Medal.

The Commissioners thanked the Deputy for his continued efforts.

7. Commissioners/County Manager Reports

Comm. Hockaday visited many nuisance properties in his district and is trying to do everything possible to resolve those issues. He also attended the State of the City address in Fernley, the Smith Valley Park and Recreation Board meeting, and the Smith Valley Advisory Board meeting. He thanked Commander Powell with the Lyon County Sheriff's Office for always quickly responding to his inquiries.

Comm. Cassinelli attended the groundbreaking ceremony at Victory Logistics District in Fernley, the Moundhouse Advisory Board meeting, the Dayton Valley Conservation District meeting and the Dayton Advisory Board meeting. He thanked code enforcement for the cleanup on Hart Street.

Comm. Jacobson visited Dayton Valley Golf Course to discuss how they could handle effluent. He toured the TMCC campus during an open house event. He attended the Fernley High School Booster Dinner, the Healthy Communities Family Night event, the Rural Quarterly Boys and Girls Club of Northern Nevada meeting, the groundbreaking ceremony at Victory Logistics District in Fernley and the Debt Management Commission meeting. He apologized for missing the last BOCC meeting as he was attending his son's sports event. He congratulated local sports teams on their wins and efforts.

Comm. Hendrix, Comm. Keller and County Manager Andrew Haskin attended the National NACO Legislative Conference in Washington DC.

Comm. Jacobson thanked Comm. Keller, Comm. Hendrix and County Manager Andrew Haskin for attending that conference.

8. Elected Officials' Reports

There were none at this time.

9. Appointed Officials' Reports

Comptroller Josh Foli stated counties across the state are having a hard time budgeting for the next fiscal year. Lyon County is still seeing some increase in property tax revenue, but not as much as past years. Challenges to come are inflation and an increase in salaries, benefits and PERS. Actions being taken to address budgeting issues include working with the Fernley Justice Court to create a Memorandum of Understanding with the City of Fernley so clerks can work on either type of case load and consolidate court calendars in an effort to prevent hiring additional employees. Also, staff and department heads have been discussing that at the start of the next fiscal year, vacant positions will remain vacant in the event those positions need to be reduced, rather than reducing occupied positions. He is continuing to work on next fiscal year's budget and should have final revenue projections in the next two to three weeks.

Comm. Jacobson thanked Mr. Foli for his continued efforts.

10. Advisory Board Reports

There were none at this time.

11. CONSENT AGENDA

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

Comm. Jacobson moved to approve the Consent Agenda items 11.a. through 11.h, Comm. Hockaday seconded, and the motion passed 4-0.

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

County claims totaled $1,051,402.84 and payroll totaled $1,862,635.42. The cash balance as of February 15, 2025, was $142,433,052.32.

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

Travel claims total as of February 15, 2025 was $14,959.63.

11.c. For Possible Acton: Approve the changes on Assessor's tax roll due to correction in assessments and review of tax roll changes.

Secured Factual Corrections totaled $1,089.00 and Unsecured Factual Corrections totaled $1,051.85.

11.d. For Possible Action: Approve the February 20, 2025 minutes.

The February 20, 2025 minutes were approved.

11.e. For Possible Action: Accept the grant award amendment to extend the subaward period of the ARPA Homemaker grant from the State of Nevada, Department of Health and Human Services, Division of Aging and Disability Services, from 12/31/2024 to 06/30/2025.

11.f. For Possible Action: Accept a grant award from the Nevada Department of Business & Industry, Housing Division for FY25, in the amount of $50,032, for the Account for Affordable Housing Trust Fund, to provide housing services to Lyon County.

11.g. For Possible Action: Approve the release of the Improvement Bond, accept the Maintenance Bond and the Certificate of Completion for Heritage Ranch, Phase 3 subdivision, located in Dayton, NV.

11.h. For Possible Action: Accept Fiscal Year 2025 grant agreement from Nevada Department of Business & Industry Housing Division, to use for Low-Income Housing Welfare Set-Aside funds, in the amount of $13,922.67, to provide homeless prevention services to Lyon County.

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

REGULAR AGENDA

12. Human Services

12.a. For Possible Action: Approve a contract between Lyon County and ReHaul Maintenance Company for $4,682 to provide handyman services to individuals within the Senior Services Case Management program.

Human Services Director Doctor Shayla Holmes gave a brief review of the ReHaul Maintenance Company Handyman Contract.

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

Comm. Hockaday motioned to approve a contract between Lyon County and ReHaul Maintenance Company for $4,682 to provide handyman services to individuals within the Senior Services Case Management program, Comm. Cassinelli seconded and the motion passed 4-0.

13. Sheriff

13.a. For Possible Action: Approve Conversion of Lyon County Sheriff's Office Evidence Items, specifically firearms and related components, to County Property for use or disposition in

accordance with Nevada law. See attached conversion letter listing the property to be converted.

Sheriff Brad Pope gave a presentation discussing a conversion of evidence items to county property for use or disposition in accordance to Nevada Law.

Comm. Jacobson asked if the serial number of the fire arms will have a clean history or will they be flagged in a background check. Mr. Pope responded the serial number is cleared through NCIC prior to any sales.

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

Comm. Cassinelli motioned to approve a Conversion of Lyon County Sheriff's Office Evidence Items to County Property based on the listings provided, Comm. Hockaday seconded and the motion passed 4-0.

14. District Attorney

14.a. For Possible Action: Approve a bankruptcy settlement agreement with Nevada Copper to settle the personal property taxes owed by Nevada Copper for $1,170,339.77. The proposed settlemen requires Nevada Copper to pay promptly and the settlement eliminates the penalties and reduces the amount of personal property taxes due from Nevada Copper by 5%.

Deputy District Attorney Illyssa Fogel gave a presentation to the board discussing how the agreement was arrived at and the benefits of the agreement to Lyon County.

Comm. Jacobson asked if the District Attorney's office represented other entities with in the county and state for this, which Ms. Fogel confirmed. The second page in the backup reviews this.

Comm. Hendrix asked if this has been figured into the budget already, which Comptroller Josh Foli confirmed.

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

Comm. Jacobson moved to approve a bankruptcy settlement agreement with Nevada Copper to settle the personal property taxes owed by Nevada Copper for $1,170,339.77. The proposed settlement requires Nevada Copper to pay promptly and the settlement eliminates the penalties and reduces the amount of personal property taxes due from Nevada Copper by 5%, Comm. Hockaday seconded and the motion passed 4-0.

15. Public Hearing on Planning Items

15.a. For Possible Action: To approve the request from CEA Dairy RNG, Nevada LLC, for a Conditional Use Permit for expansion of a legally-existing, non-conforming use, consisting of anaerobic digesters for methane production, and to ensure compliance with Nevada Division of Environmental Protection regulations, on land subject to Rural Residential 20-acre (RR-20) zoning located at 360 Campbell Lane in Mason Valley, on an approximately 163-acre parcel (APN 014-161-01); PLZ-2024-083.

Senior Planner Louis Cariola gave a presentation discussing a conditional use permit for Renewable Natural Gas Production requested by CEA Dairy RNG Nevada, LLC. He explained that the conditional use permit is to expand existing anaerobic digester system operating at the Desert Hills Dairy in Mason Valley. He reviewed details such as parcel location, access, size, existing conditions, floodplain, public utilities, master plan consistency and zoning. He also reviewed findings summaries and recommendations.

Comm. Hendrix asked if either the lagoon or the tank would omit an odor, to which Mr. Cariola responded there was nothing from a staff level to mitigate this, however, there would be lid on the lagoon.

Comm. Hendrix asked for public comment.

Phyllis Hiskett shared her concern with the increase in traffic and noise that this would cause, and encouraged trucks to use an alternative route.

Comm. Hockaday commented that when it is a public road, there is nothing the county can do to stop the use of the roads. But there are things that can be done to increase safety.

Comm. Hendrix asked how much traffic this is going to create and how many more trips there would be, to which Mr. Cariola responded during construction there will be an increase in traffic, but once up and running, there will potentially be one additional truck trip. He clarified this is a pre-existing dairy that already has truck usage.

Comm. Jacobson moved to, based on the aforementioned findings and conditions 1 through 8, approve the request from CEA Dairy RNG, Nevada LLC, for a Conditional Use Permit for expansion of a legally-existing, non-conforming use, consisting of anaerobic digesters for methane production, and to ensure compliance with Nevada Division of Environmental Protection regulations, on land subject to Rural Residential 20-acre (RR-20) zoning located at 360 Campbell Lane in Mason Valley, on an approximately 163-acre parcel (APN 014-161-01); PLZ-2024-083, Comm. Cassinelli seconded, and the motion passed 4-0.

15.b. For Possible Action: To approve the request from Verizon Wireless/Vertical Bridge for a Conditional Use Permit for a new wireless communications facility and 115-foot windmill tower on land subject to RR-20 (Rural Residential, 20 Acre Minimum) zoning located at 1 Scarsdale Drive in Mason Valley on an approximately 2,500 square foot portion of a 180.00–acre parcel (APN 014-241-12); PLZ-2024-080.

Senior Planner Lisa Nash gave a presentation discussing a request from Verizon Wireless/Vertical Bridge for a Conditional Use Permit for a new wireless communications facility and 115-foot windmill tower. She reviewed details such as parcel location, access, size, topography, location photos, floodplain, public facilities, master planning and zoning. She reviewed the findings and the applicant's responses to impacts such as noise, lighting and traffic.

Chris Hatch from Epic Wireless shared that this additional tower will improve and ensure county emergency staff and the public are able to make emergency calls and also receive high speed internet.

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

Comm. Hockaday moved to approve the request from Verizon Wireless/Vertical Bridge for a Conditional Use Permit for a new wireless communications facility and 115-foot windmill tower on land subject to RR-20 (Rural Residential, 20 Acre Minimum) zoning located at 1 Scarsdale Drive in Mason Valley on an approximately 2,500 square foot portion of a 180.00–acre parcel (APN 014-241-12); PLZ-2024-080, Comm. Jacobson seconded, and the motion passed 4-0.

15.c. For Possible Action: To approve the request from Dayton Partner No. 1 LLC, Atlas Development, LLC, and LD Lots LLC for a Planned Unit Development (PUD) Amendment to amend the existing The Lakes at Dayton Valley PUD Handbook. The area included within the

PUD Amendment is generally located north and south of Dayton Valley Road and north and east of Palmer Drive in Dayton for five (5) parcels totaling approximately 566.87 acres (APNs 016-361-63, 65, 66, 68, and 71); PLZ-2024-077.

Senior Planner Lisa Nash gave a presentation discussing a request from Dayton Partner No. 1 LLC, Atlas Development, LLC, and LD Lots LLC, to amend the existing The Lakes at Dayton Valley PUD Handbook. She stated applicant is requesting a Planned Unit Development (PUD) Amendment on five parcels. The PUD Amendment would amend the existing The Lakes at Dayton Valley PUD Handbook. This amendment will replace the hotel casino with less intensive uses, such as daycare facilities, storage facilities, and neighborhood shops as well as replacing the proposed golf course with open areas to include walking trails and better drainage areas. She shared a vicinity map and project summary, commercial uses, conditions and findings.

Comm. Hendrix asked if the storm drainage would go in before development and if maintenance can be included in the tentative agreement, to which Ms. Nash responded yes.

Karen Downs, from Manhard Consulting, provided additional information regarding project location, project background, the approved land use plan, community outreach, goals, existing zoning, proposed zoning, Comparison of Land Uses & Impacts, benefits and proposed clarifications.

Comm. Cassinelli commented that he is looking forward to seeing the proposed improvements to traffic and infrastructure being brought forward in the future.

Comm. Hendrix asked for public comment.

Ron McRae, Sandy Mass, Mike Evans and Jim Kepler shared their support for this project.

William Abbit, President of the Dayton Valley Co-op, thanked Legacy 49 for their efforts. He shared his concerns with the egress in that area, how this will affect the roads with increased usage and how traffic will be managed. He recommended denial until concerns are addressed from the public.

Comm. Hendrix asked Ms. Nash if this is an already approved project, and if this is to address how to make it less impactful for the community, which Ms. Nash confirmed.

Ms. Nash stated that were two amendments to the PUD Handbook after being reviewed at the Dayton Regional Advisory Board meeting. She read the first amendment into the record as follows;

Community Planning. Following significant communication and coordination with adjacent property owners and homeowners associations, the following agreements have been made and will be further stipulated in conditions of approval for individual projects within the Legacy 49 villages (Villages 1-9) as applicable.

Ms. Nash then noted the second amendment is on page 46, where additional blue arrows were placed to show the traffic of circulation proposed and the Existing Street color in the legend was changed from pink to black.

Comm. Hockaday moved to, based on the aforementioned considerations and the amendments listed into the record, approve the request from Dayton Partner No. 1 LLC, Atlas Development, LLC, and LD Lots LLC for a Planned Unit Development (PUD) Amendment to amend the existing The Lakes at Dayton Valley PUD Handbook. The area included within the PUD Amendment is generally located north and south of Dayton Valley Road and north and east of Palmer Drive in Dayton for five (5) parcels totaling approximately 566.87

acres (APNs 016-361-63, 65, 66, 68, and 71); PLZ-2024-077, Comm. Cassinelli seconded, and the motion passed 4-0.

15.d. For Possible Action: To approve the request from Dayton Partner No. 1 LLC, Atlas Development, LLC, and LD Lots LLC for a Zoning Map Amendment to amend the Zoning Map designations from the Title 10 districts of NR-1 (Single-Family Nonrural Residential District) and T-C (Tourist Commercial District) to the Title 15 district of PUD (Planned Unit Development), generally located north and south of Dayton Valley Road and north and east of Palmer Drive in Dayton for five (5) parcels totaling approximately 566.87 acres (APNs 016-361-63, 65, 66, 68, and 71); PLZ-2024-040.

Senior Planner Lisa Nash stated the applicant is requesting a ZMA (Zoning Map Amendment) on five parcels. The ZMA would change the zoning from the Title 10 districts of NR-1 (Single-Family Nonrural Residential District) and T-C (Tourist Commercial District) to the Title 15 district of PUD (Planned Unit Development). She reviewed the vicinity map, project summary, master plan designation, proposed zoning, findings and highlights.

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

Comm. Cassinelli moved to, based on findings A through C, approve the request from Dayton Partner No. 1 LLC, Atlas Development, LLC, and LD Lots LLC for a Zoning Map Amendment to amend the Zoning Map designations from the Title 10 districts of NR-1 (Single-Family Nonrural Residential District) and T-C (Tourist Commercial District) to the Title 15 district of PUD (Planned Unit Development), generally located north and south of Dayton Valley Road and north and east of Palmer Drive in Dayton for five (5) parcels totaling approximately 566.87 acres (APNs 016-361-63, 65, 66, 68, and 71); PLZ-2024-040, Comm. Hockaday seconded, and the motion passed 4-0.

15.e. For Possible Action: To approve the request from Tract Capital Management, LP, for a Master Plan Amendment to change the Character District from Rural to Suburban on approximately 190 acres of an 800-acre parcel located west of US Highway 95A and north of US Highway 50 in Silver Springs (APN 015-091-08) PLZ-2024-051.

Senior Planner Louis Cariola gave a presentation discussing a request from Tract Capital Management, LP, for a Master Plan Amendment to change the Character District from Rural to Suburban. He provided details to zoning, master plan and character districts, request details and findings highlights.

Mitch Nelson, Director of Entitlements, gave a presentation reviewing the company's background, accomplishments, site location details, approval processes, responses to public and staff concerns and specific plan highlights.

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

Comm. Cassinelli moved, based on findings A through E, to approve the request from Tract Capital Management, LP, for a Master Plan Amendment to change the Character District from Rural to Suburban on approximately 190 acres of an 800-acre parcel located west of US Highway 95A and north of US Highway 50 in Silver Springs (APN 015-091-08) PLZ-2024-051, Comm. Jacobson seconded, and the motion passed 4-0.

15.f. For Possible Action: To approve the request from Tract Capital Management, LP, for a Zoning Map Amendment from Fifth Rural Residential District, 20-acre minimum, to Service

Industrial on approximately 460 acres of six (6) parcels that total approximately 1,070 acres, located west of US Highway 95A and north of US Highway 50 in Silver Springs (APN 015-091-08, 015-111-01, 02, 04, 05, and 06); PLZ-2024-052.

Senior Planner Louis Cariola gave a presentation discussing a request from Tract Capital Management, LP, for a Zoning Map Amendment from Fifth Rural Residential District to Service Industrial. He reviewed findings highlights and recommendations.

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

Comm. Jacobson moved, based on findings A through E, to approve the request from Tract Capital Management, LP, for a Zoning Map Amendment from Fifth Rural Residential District, 20-acre minimum, to Service Industrial on approximately 460 acres of six (6) parcels that total approximately 1,070 acres, located west of US Highway 95A and north of US Highway 50 in Silver Springs (APN 015-091-08, 015-111-01, 02, 04, 05, and 06); PLZ-2024-052, Comm. Hockaday seconded, and the motion passed 4-0.

15.g. For Possible Action: To approve the request from Tract Capital Management, LP, for a Master Plan Amendment from Rural Residential to Specific Plan on approximately 460 acres of six (6) parcels that total approximately 1,070 acres, located west of US Highway 95A and north of US Highway 50 in Silver Springs (APN 015-091-08, 015-111-01, 02, 04, 05, and 06); PLZ-2024-066.

Senior Planner Louis Cariola gave a presentation discussing a request from Tract Capital Management, LP, for a Master Plan Amendment from Rural Residential to Specific Plan. He stated the 460 acres are proposed for zone change, leaving 610 acres unchanged. He shared details for the Specific Plan location and uses of structures, access management, timelines and suggested edits to the conditions.

Mitch Nelson gave a brief overview of phased water rights and details pertaining to the public/private water tanks.

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

Comm. Jacobson moved, based on the aforementioned findings, to approve the request from Tract Capital Management, LP, for a Master Plan Amendment from Rural Residential to Specific Plan on approximately 460 acres of six (6) parcels that total approximately 1,070 acres, located west of US Highway 95A and north of US Highway 50 in Silver Springs (APN 015-091-08, 015-111-01, 02, 04, 05, and 06); PLZ-2024-066, Comm. Hockaday seconded, and the motion passed 4-0.

16. Agenda Requests

Comm. Hockaday requested an item in the near future to discuss intersection issues for safety.

Comm. Cassinelli stated he would like an item reviewing updates regarding the Aspen Creek issue, including ribbing and capacity. He shared his concerns with how this issue will effect revenue from permitting for the upcoming fiscal year. He stated he would also like a workshop in Dayton and to include the Utilities Department and the Development Community.

Comm. Jacobson stated he agrees with Comm. Cassinelli's request in the spirit of transparency.

17. Commissioner Comments

Comm. Jacobson reminded the public to be respectful to staff and thanked staff for their hard work.

Comm. Cassinelli stated the Sutro Tunnel Reconstruction Group will have another public input meeting soon and encouraged all to attend.

Comm. Hockaday congratulated the Smith Valley basketball team for their achievement at the state championship.

18. Public Participation

Comm. Hendrix asked for public comment.

Dan Burchfield thanked Comm. Cassinelli for his proposed item request and shared the concerns of the development community. He is working with David Bruketta on a few things including writing the Reclaimed Water Master Plan.

Frank Bushard requested to agendize an item giving Building Department staff overtime and requested the hire on an additional inspector.

19. Closed Session pursuant to NRS 241.015(3)(b)(2)

There was a closed session at 12:07 P.M.

20. Adjourn

Meeting was adjourned at 12:01 P.M.

LYON COUNTY BOARD OF COMMISSIONERS

SCOTT KELLER, Chairman

ATTEST

STACI LINDBERG, Lyon County Clerk/Treasurer