



North Lyon County Fire Protection District

195 East Main Street
Fernley, Nevada 89408
District Office (775) 575-3310 Fax (775) 575-3314
Jason Nicholl, Fire Chief

Notice of Meeting

Date: Tuesday June 27, 2023
Time: 6:00 p.m. or 1800 hours

Directors

Dan McCassie, Chairman Paul Murphy, Director
Mike Callagy, Jr, Vice-Chair Jay Rodriguez, Director
Harry Wheeler, Secretary/Treasurer

Location: 195 East Main Street
Fernley NV 89408
or Virtual Zoom Meeting

Join Zoom Meeting at:

<https://us02web.zoom.us/j/87045716103?pwd=V1hrSUVZcmllYzRndFk4emlxWTISZz09>

Dial: 1-253-215-8782 Passcode: 690450 Meeting ID: 870 4571 6103

NLCFPD Board of Directors Meeting Agenda

1. Call to Order, Pledge of Allegiance and Moment of Silence
2. Public Comment (No action will be taken on any subject during public participation until it has been properly placed on an Agenda for a subsequent meeting. Public comments are limited to 3 minutes.)
3. CONSENT AGENDA* (All matters listed under the consent agenda are considered routine and may be acted upon by the Board of North Lyon County Fire Protection District with one action, and without an extensive hearing. Any member of the Board or any citizen may request that an item be taken from the consent agenda, discussed, and acted upon separately during this meeting.)
 - 3a. Review and Approval of Board Agenda
4. Discussion and possible action regarding the temporary extension of the introductory period for Captain Joe Mendoza pursuant to Personnel Policy 3.9.1 , including a closed personnel session regarding possible action to temporarily extend the introductory period for Joe Mendoza*
5. Discussion and possible action to approve a contract for the investigation of an employee complaint*
6. Public Comment (No action will be taken on any subject during public participation until it has been properly placed on an Agenda for a subsequent meeting. Public comments are limited to 3 minutes.)
7. Adjourn

Notices:

1. The Board may act on any of the “*” items.
2. At any time, the order of agenda items may be changed, removed, or combined with another item with Board consensus.
3. The Board may limit the amount of time for public comments based upon the number of speakers on the same subject.
4. Disabled members of the public who require special accommodations or assistance at the meeting are requested to notify in writing at the North Lyon County Fire Protection District, 195 East Main Street, Fernley, Nevada 89408 or by calling (775) 575-3310.

CERTIFICATE OF POSTING

I, Kasey Miller, do hereby certify that I posted or caused to be posted, a copy of this agenda at the following locations on or before 9:00 a.m. June 22, 2023:

1. North Lyon County Fire Protection District, 195 East Main Street, Fernley, Nevada 89408
2. U.S. Post Office, Hardie Lane Fernley, Nevada 89408
3. City of Fernley – City Hall, 595 Silverlace Blvd, Fernley, Nevada 89408
4. Fernley Senior Center, 105 Lois Lane, Fernley, Nevada 89408
5. Lyon County Manager, 27 S. Main Street, Yerington, Nevada 89447
6. Nevada Public Notice Website, www.notice.nv.gov

Distribution: To ALL persons requesting notification.

PEOPLE FIRST

North Lyon County Fire Protection District is an Equal Opportunity Employer & Provider



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Fernley, Nevada 89408

District Office (775) 575-3310 District Fax (775) 575-3314
www.northlyonfire.com
Jason Nicholl, Fire Chief

Directors

Daniel McCassie
Mike Callagy, Jr.
Harry Wheeler
Paul Murphy
Jay Rodriguez

TO: Joseph Mendoza, Fire Captain
FROM: Dan McCassie, Chairman
DATE: June 20, 2023
RE: Notice of Meeting Pursuant to NRS 241.033

3.9. 1 Introductory Period . All new and rehired paid members, except elected officials and those identified as "at-will," will serve a 12-month introductory period beginning with the day the paid member initially reports for work. Current paid members who are promoted or transferred will also be required to serve a 12-month introductory period. During this "introductory period," the paid member and the district have the opportunity to evaluate one another and determine whether the paid member is a good fit for the position. At its sole discretion, the district may extend this introductory period up to an additional six months when the district has had insufficient opportunity to assess the paid member's ability to perform the job functions or such extension is determined appropriate. The employment relationship can be terminated by the paid member or by the district at any time during the introductory period or during the extension of the introductory period, with or without cause or advance notice. The introductory period may be prorated for paid members working less than full-time. Prior to completion of the introductory period, the supervisor/manager will conduct at least two performance evaluations, one at six months and the other prior to the completion of the twelfth month, to ascertain the advisability of continued employment.

On Thursday, June 15, 2023, the Board voted and approved the transfer of your supervision from Chief Nicholl to the Board related to discipline and performance issues for at least a period of six months. Based upon your July 1, 2022, date of hire in your current position, your introductory period will expire on June 30, 2023. Accordingly, on June 27, 2023, the Board will hold a meeting to consider the temporary extension of your probation because it has had insufficient opportunity to evaluate your ability to perform the job functions or such extension is appropriate. The meeting will begin at 6 p.m. at 195 East Main Street, Fernley, Nevada. The meeting is a public meeting, and you are welcome to attend. The Board may go into closed session to consider the following general topics:

1. Whether your introductory period should be temporarily extended to allow the Board to have sufficient opportunity to evaluate your ability to perform the job functions or such extension is appropriate.

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Notice of Meeting Pursuant to NRS 241.033

At this meeting the Board will not be considering whether your employment should be continued, but only whether to temporarily extend your introductory period for a later determination about a further extension of your probation and/or whether your employment will be continued.

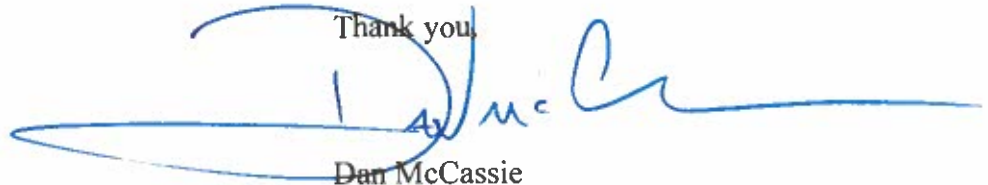
You are welcome to attend the closed session, have an attorney or other representative of your choosing present during the closed meeting, present written evidence, provide testimony, and present witnesses relating to your character, alleged misconduct, professional competence, or physical or mental health.

If the Commission determines it is necessary after considering your character, alleged misconduct, professional competence, or physical or mental health, whether in a closed meeting or open meeting, it may also take administrative action against you with regard to the temporary extension of your introductory period.

This notice is provided to you under NRS 241.033.

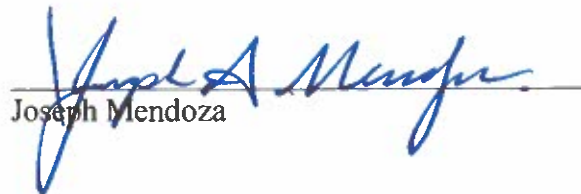
Please sign below to acknowledge receipt of this notification.

Thank you,



Dan McCassie
Chairperson

I hereby acknowledge receipt of this Notice of Hearing on June 20th, 2023.



Joseph Mendoza

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**Donald L. Christensen
Attorney at Law
Christensen Law Group, Ltd.
1285 Baring Blvd. #148
Sparks, NV 89434
June 22, 2023**

Tel: (775) 741-9539
donchristensen1908@gmail.com

Rebecca Bruch, Esq.
Lemons, Grundy & Eisenberg
6005 Plumas St., Third Floor
Reno, NV 89505

Via email only to rb@lge.net

Re: North Lyon County Fire Protection District: Investigation #3 regarding allegations by an employee regarding harassment.

Dear Ms. Bruch:

We are pleased that the North Lyon County Fire Protection District (the "District"), has decided to retain Christensen Law Group, Ltd., to provide investigative services with respect to the above-referenced matter effective June 22, 2023. The scope of the services that we have been asked to provide is to conduct an investigation concerning allegations of harassment made by an employee and prepare a report regarding the investigation which shall include our findings regarding the veracity of such allegations and our opinion regarding whether any policy of the District was violated by any alleged conduct.

Our fees are based on how much time is spent on this matter. My hourly rate is \$140.00. The District agrees to pay us at that rate for all the time incurred in connection with this investigation, except as noted below, and to reimburse us for the reasonable costs of any copies of documents made. Our expectation is that some or all of the interviews we conduct can be done remotely. If it becomes necessary to travel to Fernley, Nevada, in connection with this investigation, there will be no charge for any travel time to or from Fernley.

We expect from our clients the highest degree of cooperation and assistance in order to accomplish a timely and complete investigation. The District agrees to fully respond to any inquiries we make, provide written materials or documents in a timely manner, and otherwise provide us with all information necessary for us to complete the investigation. In order to ensure

the independence of our investigation, we will be solely and exclusively responsible for identifying, developing, and evaluating the information, witnesses, documents, and any other evidence implicated in this investigation. From time to time, the District may be asked to assist us in accessing or gathering information related to the investigation. Under no circumstances, however, will the District or its agents, employees or officials attempt to direct or influence the investigation or our evaluation of the evidence.

We appreciate the opportunity to conduct this independent investigation. However, in the event you become dissatisfied with any aspect of our relationship we encourage you to bring such concerns to our attention immediately.

If the foregoing terms are acceptable, please have an authorized representative of the District sign below and return a signed copy of this letter to me.

Sincerely,



Donald L. Christensen, Esq.
President, Christensen Law Group, Ltd.

Agreed: _____
North Lyon County Fire
Protection District

Dated: _____, 2023