



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: Thursday September 28, 2023

Time: 6:00 p.m. or 1800 hours

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

Directors

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

Join Zoom Meeting at:

<https://us02web.zoom.us/j/82158232269>

Dial: 1-253-215-8782 Meeting ID: 821 5823 2269

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 3b. Review & Approve Board Minutes 3c. Review of Summary Reports
4.	Discussion and possible action regarding Revenue and Expenditures* 4a. Enterprise Fund Revenue and Expenditures 4b. General Fund Revenue and Expenditures
5.	North Lyon Fire Cadet Lieutenant Promotion
6.	Discussion and possible action to determine Mike Callagy, Jr's actual residency and legitimacy as an Elected Office of the North Lyon County Fire Protection District Board of Directors per NRS 281.050 and NRS 474.070*
7.	Discussion and possible action to direct the Fire Chief to not fill the Assistant Fire Chief position and immediately fill the two (2) vacant Firefighter/Paramedic vacancies*
8.	Discussion and possible action regarding MOU between North Lyon County Fire and Lyon County School District*
9.	Discussion regarding NV Energy Contract
10.	Discussion regarding repairs to Fire Riser at Station 61
11.	Discussion regarding North Lyon Fire Health Insurance
12.	Reports of Directors, Fire Chief, Fire Marshal, Staff, Volunteers, Local 4547, City of Fernley
13.	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.)

14.	Adjourn
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- 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. September 25, 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.

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MINUTES

NORTH LYON COUNTY FIRE PROTECTION DISTRICT

August 10, 2023

1. Call to Order

The meeting was called to order by Chairman McCassie at 1702 hours. Directors present included Dan McCassie, Mike Callagy, Harry Wheeler, and Jay Rodriguez. Director Murphy was absent.

The Pledge of Allegiance was led by Chief Nicholl. A moment of silence followed.

Captain Mendoza stated that it sounds like Zoom is messing up again and nobody can hear it.

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.)

Chairman McCassie asked if anybody was online for public comment.

Mr. Stephen Emery confirmed that no one is unmuted at this time, but it was said that we do not have audio. It appears that it was not on. He explained that it should identify by the microphones on each side of it and it will light up. It appears the speaker was not on and is working properly now.

Chairman McCassie stated that he was going to repeat #2.

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.)

Chairman McCassie asked if there was any public comment.

Mr. Stephen Emery confirmed that everyone is still muted.

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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

3b. Review and Approve Board Minutes

3c. Review of Summary Reports

Mrs. Shannon Moffet shared that there is a correction on the Board minutes for May 16, 2023. She stated that on page 5, line 5 it reads \$6000,000.00 to \$700,000.00 and it should read \$600,000.00 to \$700,000.00. She explained that the copies in the Board packets are not corrected but it is correct in the copies to be signed for approval.

Director Wheeler made a motion to approve the CONSENT AGENDA

Director Callagy seconded the motion.

The motion carried as follows: 4-0-1

McCassie	Aye	Murphy	Absent
Callagy	Aye		
Wheeler	Aye		
Rodriguez	Aye		

4. Discussion and possible action regarding Revenue and Expenditures*

4a. Enterprise Fund Revenue and Expenditures

4b. General Fund Revenue and Expenditures

Mrs. Kasey Miller shared that we do not have anything at this time because we are crossing over from the last fiscal year to this fiscal year and the system will not let you run reports. There will be one for next time.

5. Consideration, discussion, and possible action regarding job performance of Joseph Mendoza, including possible discipline up to and including termination*

Chairman McCassie shared that this was supposed to be a closed-door session, but Mr. Mendoza asked that we keep it open, so we are going to do that.

Attorney Rebecca Bruch advised Chairman McCassie that under the circumstances, she would suggest that Chief Nicholl be requested to leave.

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Chairman McCassie stated that we will move forward with the personnel session for consideration for policy violations, there are 4 of them listed and he would like to do these one by one.

Attorney Rebecca Bruch suggested that this would be Captain Mendoza's opportunity to present whatever he wants to present. She added that if he wants to address these one by one, it may be simpler and cleaner if you let him present whatever he wants to present.

Chairman McCassie then asked Captain Mendoza if he was prepared to present.

Mrs. Kasey Miller then asked Chairman McCassie if he was moving onto item #6.

Chairman McCassie proceeded to go on to open item #6.

6. Closed Personnel Session for consideration and discussion of job performance of Joseph Mendoza

Captain Mendoza stated that the Board has copies of what he has in their packet. The notes of his personnel evaluation. He stated that there are 2 evaluations in there and he stated that he hopes they have read through them. Both evaluations show that he has exceeded standards at the time the evaluations were noted and signed. He would like to make note in this meeting that his 6-month and his 12-month were done on the same day for whatever reason. In there, there was no note of disciplinary issues or administrative action at that time. Joe Mendoza stated that the Board had moved him over to their supervision, and he would like to ask about the exhibits that they presented. Who gave them those exhibits and where did they come from.

Chairman McCassie asked which exhibits.

Captain Mendoza stated that the emails that were sent from POOL PACT, also what they are claiming in the time discrepancy, he is asking who they came from.

Chairman McCassie stated that the POOL PACT attorney gave them to the Board. Captain Mendoza is asking through whom because those are assigned to the Chief and Kasey. He stated that it sounded like the chief brought it to their attention, which you guys moved me from his supervision so that he couldn't do anything retaliatory or targeting against him. He stated that now the Board is receiving information from the Chief to discipline him, and he wanted to make note of that, he doesn't think they are making good decisions here.

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Chairman McCassie asked Captain Mendoza who the supervisor was who did his evaluation, and Captain Mendoza responded that it was Battalion Chief Tim Myers, who was assigned to his Battalion who he reported to for the whole year.

Chairman McCassie added that there was some question of some other policy violations that he is unsure if they can ask Battalion Chief Myers. Captain Mendoza stated that he gives Battalion Chief Myers full privilege to say anything he needs to say about him. Chairman McCassie asked Tim Myers if he was aware if there were any policy or administrative violations. Tim Myers stated that he was not aware of that. Chairman McCassie asked if we could be more specific.

Captain Mendoza stated that he would ask to be more specific. Chairman McCassie shared that there was a school administrator who filed a complaint. Captain Mendoza then asked what school that was, and if it was Cottonwood Elementary. Chairman McCassie answered, yes. Attorney Rebecca Bruch tried to interrupt, and Chairman McCassie advised to let the Pool Pact attorney give a little bit of advice.

Attorney Rebecca Bruch stated that Captain Mendoza has been provided with those pieces of paper that you also have. Those are the issues that are for your consideration, for you to determine whatever you are going to determine. So, he was not provided, and it was not before you, anything outside of those documents that were in the board packet. Chairman McCassie added that he was just asking a question because if the person that did the evaluation was aware of that complaint.

Captain Mendoza added that that complaint was also brought up during the investigation of the assault that Chief Nicholl had on him because months later, he went and pried with that administrator to get a statement from her, months after the fire sprinkler broke, which has been notated in the investigation and has been sent to his attorney already because he was trying to create something to discipline him with. He added that we already have a history of this, and it seems like we are repeating the same deal.

Chairman McCassie asked if anyone had any questions or comments about evaluations.

Director Callagy had a question regarding the evaluation, it had nothing to do with that because that's not brought up in here of any of the 4 items we are allowed to speak about tonight. He mentioned the training class with POOL PACT and stated that there was a disturbance and a complaint made about Captain Mendoza on Wednesday, March 22, 2023. Director Callagy asked Chief Myers if he was not aware of this incident while completing either one of those reviews. Chief Myers answered that he was not, and Joe Mendoza added, nor was he, and that he is presenting his evidence as well.

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For the record, Ryan Whitlock, PFFN, stated that he is here helping represent Mr. Mendoza. He is asking when the evaluations were requested, completed and he asked for a copy. Chief Myers answered that he thinks it was the day after the signatures.

Attorney Rebecca Bruch interrupted stating that she is also trying to be aware of the record, people speaking without identifying themselves, so later on when we try to make sense out of this, she would request that each person identifies themselves before they speak.

Mrs. Kasey Miller added to speak loud and concisely so we can get the minutes exactly right, please.

Chairman McCassie asked the gentleman to identify himself.

Ryan Whitlock, with Professional Firefighters of Nevada, here on behalf of Joseph Mendoza. He stated that he is looking for the evaluations and what date they were both completed on.

Attorney Rebecca Bruch interrupted again asking everyone to identify themselves before speaking.

Jay Rodriguez, Board of Directors, stated that the date was June 22, 2023. He also shared that it is the 6 month, and it is from July 1, 2022 to December 31, 2022.

Captain Mendoza is asking when it was presented and signed by him.

Mr. Aaron Mouritzen, attorney for the district again, advised before speaking, to state your name, who you are and make your statements.

Jay Rodriguez, Board of Director shared that the 2nd evaluation was evaluation time frame from July 1, 2022, to June 20,2023 and that was also signed on June 22, 2023.

Ryan Whitlock, PFFN, making sure he is understanding correctly, they were both signed at the same time and presented towards the end of his probationary period. Just for the record, he stated that he wanted to make sure we were all on the same page.

Chairman McCassie stated that there was a question about the email from the instructor.

Director Callagy, for the record, stated that when evaluations were done, he was not aware of this complaint when he completed evaluations.

Chairman McCassie asked Captain Mendoza if he had anything else.

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Ryan Whitlock, PFFN, stated that he is confused. He asked if we are having him defend his spot, or do you guys have allegations against him, you need to be presenting to us so we can help you understand our position. He stated that he's not sure if this is an investigation or a hearing. He asked that the Board identify that for him.

Mrs. Rebecca Bruch, attorney for the department, stated that this is a potential discipline and performance evaluation issues, partly because the end of the probation coming up, as well as issues that have arisen. Those have been identified and it is Captain Mendoza's opportunity, after that information was presented to him, which it was, he now has an opportunity to present to the Board whatever it is that he wants to present in defense of those issues that have been identified as part as the 241 notice, as well as the board packet. After he presents everything that he wants to present and you ask whatever questions you want to ask, then it will be up to the Board to vote on what action they want to take, if any regarding those concerns that have been raised. She reminded the Board that they are sitting in the shoes of Chief Nicholl. Because they are put in the place of Chief Nicholl, that is the stage of this proceedings that you are at. Once this is done, whatever decision that you make, if it is something that there is any adverse action taken, if it is appealable, then it will get appealed back to the Board and there are options in that process that could be handled differently than here. For now, you are at that first level of looking as if you were the chief, evaluating Captain Mendoza. She stated again that he's been notified of the concerns, and it is his opportunity to present whatever he wants to present.

Director McCassie added to answer your question, in the packet, there were 4 particular that need to be addressed and that's why we are here. He was given this packet to come and explain.

Ryan Whitlock stated that he understands but there is more back story on that, on the allegations that are being brought up against him. For further explanation for us, it is customary and appropriate for you guys to bring to his attention that he's being brought up on these charges and allegations brought against him. He stated that the letter was sent to him by POOL PACT, he is asking if he or she is here today to testify against his witness. He stated that these are the things we need to know going forward because, without that, he's ready to testify on his behalf and in good standings. He shared that he completed the course, and he did everything in good standing. Mr. Ryan Whitlock stated that he is confused about the fact that you guys should be telling him and walking him through, what the allegations are regardless of the packet, going through it line by line, so we can dispute each one and give you a clear picture on what truly happened.

Attorney Rebecca Bruch stated to Chairman McCassie that Captain Mendoza knows what he knows, you know what those pieces of paper say, he can respond how he wants to, he would request a continuance of this hearing because he wants to talk to somebody from Pool Pact. If they choose to talk to him, they can or not.

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Ryan Whitlock for the record, added that if we are going to be talking, please state your name as well.

Mrs. Rebecca Bruch, Attorney for the department stated, likewise as the Board, sitting in as his supervisor would like more information because no action has been taken based on the information that POOL PACT provided. If you want to adjourn this and reschedule it, then you can follow up with POOL PACT to get more information. You have that opportunity as well as Captain Mendoza can make that request and it is up to you to decide whether you are going to grant that or not.

Director McCassie for the record, stated that the email was in the packet and that should have been the time that it should have been challenged or a request for that person to be here or an explanation of it. It was over a training incident that had to do with the timecard incident. Director McCassie asked Captain Mendoza if he had any defense on the timecard.

Joe Mendoza, Fire Captain, North Lyon Fire, stated that the Board sent him the memo on August 2nd. he added that the Board is accusing him of violations of policy 12.1.1.1, conduct unbecoming a paid member. He stated that they were the ones that said that, and he is asking what the conduct unbecoming of a paid member is here, so he can review that.

Attorney Rebecca Bruch shared with Director McCassie that the document speaks for itself, he has been specifically informed of those sections of the personnel policy which he's identified. It is her opinion that he does not have an obligation to justify what is on there, you have made no decisions about any of this. All you have done is identify areas of concern that you are looking for information. That is your job as this Board sitting as his supervisor to get his response to whatever extend that he wants to provide that. If he wants to sit here all night and bring in witnesses, that is his right to do that.

Chairman McCassie stated that it is in the email that they are discussing the timecards. He added that Captain Mendoza was given that and that is why they are here, to have a discussion about it.

Mr. Joe Mendoza shared that the Board was directed not to tell how he's been unbecoming. He stated that we will move to the allegation that they have against him in violation of policy 12.1.1.11- dishonesty, including intentionally or negligently providing false information, intentionally falsifying records, employment applications, or other documents. He is asking the Board what that is in regard to.

Director McCassie, Chairman for North Lyon County Fire, that would be Exhibit 4, those are the allegations that were given to you.

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Captain Mendoza stated that in regard to falsifying his timecard, which is not true. He shared that he never had a break in duty from the organization and he was on a 48-hour shift. He stated that the last call that he ran was at 4 o'clock in the morning. He added that they do not continue to do reports at 4 o'clock in the morning, we get to sleep. He explained that he woke up at about 7 o'clock to get ready for the shift change, do charts, review charts, do his report for the 4 o'clock call, and then clean the room up, get the rigs cleaned up for the next shift, do a handoff report to the crews. Captain Mendoza stated that he was going to run late, and he contacted POOL PACT before the time class was going to take session and advised them that he was getting off shift and was going to be a little late if that was okay. He was advised on the phone to go ahead, take his time and get here. It was not a big deal, he started driving and once he left the department and forgot his book, so he turned around to go get his book and went over to POOL PACT, in which, when he got to POOL PACT, he made contact with the instructor, and they had just completed the first module. He let the instructor know that he was there and asked what he needed to do. The instructor had mentioned to him that if you miss an hour of the class you have to take the whole class over and that he was welcome to stay but would have to take the class over. Which, Captain Mendoza's response was, not according to his email, in which he said he was being rude or however he was describing it, if he wasn't going to get credit for this class, he was not going to sit here for the next 7 hours and not get credit, he stated who in their right mind would. He then asked if it was possible to make up the module at lunch, which the instructor agreed to and during Captain Mendoza's lunch hour he completed the module and had a conversation with him about that module after lunch and it was done. He stated that he never had a break in duty and when he filed his timecard, he filed it for 9 hours. It was an 8-hour class, and it was 1 hour and 10 minutes from here to the class, he should be compensated for his drive time, for the miles, and for his meals for a training that the department mandated, he didn't even put in for those things. He just put in for the basic time, his time being there. The next pay period he stated that he was shorted on his check, and he went to Kasey Miller to discuss the shortage of his check on overtime, and she stated that the Chief took that off, which Captain Mendoza was never notified of him adjusting his timecard nor did he have any conversation whatsoever as to why his timecard was changed. He then explained his explanation as to why he was late, and she was going to talk to him about it. After that, the next pay period came through, he stated that he just followed up with a note as far as the timecards. The note stated that, was short in OT last pay period, please make it right. He added that he never put it back on there, there was never a conversation and the chief responded to him from that next pay period request on his timecard with a letter that he stated he was sure he had given the Board. It says overtime, and it was his explanation of why he was docking his overtime and he says he was over 1.5 hours late to class, but he was still doing district business and he was still driving to training. He stated that you just don't take a break in between and go. Captain Mendoza added that that is his justification for applying it. The reason why he didn't file a grievance is because dealing with all the hostile work environment investigations, his attitude and his demeanor towards us, from that time until March because it just started in February. He stated that he was exhausted with this guy and 1.5 hours of overtime wasn't worth his effort anymore, so he just let it go. Not once had he ever heard anything else about it. This happened in April, and we are talking about this in August, and he stated that he thinks it is kind of late.

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Captain Mendoza then asked the Board if they had any questions about what he just presented. None of the Board Members had any questions for Mr. Mendoza.

Chairman McCassie then added, moving on to 12.1.1.12- willfully or intentionally violating or failing to comply with the district's policies, rules, regulations, and/or procedures.

Captain Mendoza stated that he did not know what else that would be other than what he just explained to the Board.

Joe Mendoza, Fire Captain, North Lyon County, to even comment on the email that POOL PACT was sending back and forth to the chief and Kasey, not once did that instructor ever say anything. Everybody in that class was having a good time learning the process, it was open form, they encourage you to have conversation and be involved. Captain Mendoza stated that he was one that was involved with the conversation. He stated that he does not know why he would come and say that he was disrespectful or being disruptive. As an instructor himself, he would nip that immediately and have a conversation with the student and not let that go for 8 hours. He stated for this being the first time that he is hearing about this, he thinks is insane. This is not how you run a class. If his allegations were true, which they are not, he should have put it away quickly as an instructor. Captain Mendoza shared that he had no idea that that email was even an existence, and the instructor felt the way he felt the way he felt, and he would never tell another instructor what to do in his class.

Chairman McCassie stated that they had a discussion on all 4, policy violations. He asked Captain Mendoza if he had anything else to add.

Ryan Whitlock for the record, PFFN, is asking if all these violations are in regard to the one allegation from the email from the POOL PACT training.

Chairman McCassie stated that it has something to do with the timecard modification.

Ryan Whitlock stated that the timecard modification directly related from the POOL PACT training which he basically described that he did indeed meet all of his time required by the mandatory training, correct. He then added that he wanted to make sure that we are all clear that these are all identified to that one incident.

Chairman McCassie asked if Captain Mendoza had anything else to add and he answered, no.

Chairman McCassie added that he'd like to give the Board a minute to think about it.

Joe Mendoza for the record, stated that it has already been alluded, but he wanted to make sure that the Board understands that he did complete the required hours and the class. He stated that they should have a copy of that as well.

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Director Callagy for the record, asked Captain Mendoza if he had a copy or certification that he completed 100% of this class and asked to see the document.

Chairman McCassie asked Captain Mendoza to present copies to the Board members.

Attorney Rebecca Bruch advised Chairman McCassie to make the copy of the certificate as an exhibit for the Board packet.

Chairman McCassie stated that he was given a Certificate of Completion, POOL PACT Human Resources presented a certificate to Joseph Mendoza Jr., essential management skills and public sector certified program, dated March 23, 2023. He stated that he would like to add this to the record. Chairman McCassie then asked if anyone had any other discussions, comments, or questions.

Director Callagy for the record, stated that he had a question for Captain Mendoza regarding the email that was sent from Stacey from POOL PACT.

Mrs. Kasey Miller asked Director Callagy to please speak up.

Director Callagy stated that the question he has for Captain Mendoza is regarding the email sent about him being late to class. He then asked him if he had that email in front of him. Director Callagy also asked for the email from Jeff Coulam.

Chairman McCassie added to be clear, which email is that.

Director Callagy stated that it is part of exhibit 1.

Chairman McCassie asked if the question was regarding the 1.5 hours.

Director Callagy stated that he wants Captain Mendoza to address the email line by line.

Director Callagy asked if he would like him to read it then he can address it or he can read it and address it himself.

Captain Mendoza for the record stated that it was obvious that the Board has a lot of concerns. He's asking that they bring up their concerns so he can respond.

Director Callagy added that he would read it and ask him to respond.

Hi all,

Joe was 1.5 hours late to class today. He called around 8:45 and said he just got off his shift and was leaving to come. He showed up around 10:30. As you know, all participants must sign

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PEOPLE FIRST

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off on our attendance policy when they sign up for the program which states that participants who miss more than one hour of a session will not get credit for the session. As Joe came in when the class was on their morning break, Jeff (who was facilitating the class) reminded Joe of this policy. It seems that Joe was not very pleasant in his response. I have asked Jeff to summarize the events for you, but he will not be able to do it until tomorrow as he is facilitating a class all day.

Director Callagy asked Captain Mendoza if he was aware if he was more than 1 hour late for the session that he would not get credit.

Mr. Mendoza answered, not until he made contact with the instructor that morning.

Director Callagy shared that it says that as you signed up, all attendees are made aware of this policy.

Mr. Mendoza stated that he does not recall any of that. He also added that knowing that he was coming from Fernley, he would assume that Stacy would say that you aren't going to make it in time because it is going to take more than an hour to come from Fernley. He stated that he did not know that information until he got there.

Director Callagy asked if Jeff told him that after he spoke with him when he arrived at 10:30 that he could sign in and take the rest of the session but may need to take the session over again due to being late.

Captain Mendoza stated that he did say that earlier in this meeting and he did bring that to their attention, in which his response to him was that he just drove an hour ½ or so to this place. If he is not going to be able to get credit for this session, he would rather leave and go home and be productive. He explained that it would be a non-productive day sitting in a session that he would have to retake. His request from him was if it was possible that he could work through his lunch hour to make up the one module that he missed. The one module he missed, he agreed to allow him to take the lunch hour to complete the work. Captain Mendoza shared that he does not know who the instructor consulted with, but he consulted with someone else within POOL PACT because he did not have an immediate answer for him. He stated that he came back and gave him the answer and said that he would be allowed to make that module up in the class. Captain Mendoza shared that it was interesting, and he would also like to bring up that the instructor said that he was agitated or became argumentative. He shared that he doesn't think that any instructor would allow somebody leniency or accommodations if he was being aggravated and oblivious with him. The fact that the instructor extended him the opportunity to make that module up, when he could have easily said it is policy. Captain Mendoza stated that he is beside himself with these allegations. He also stated that he did work through his lunch hour, which he should get paid for.

Director Callagy stated that that is all the questions he has for Captain Mendoza.

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Captain Mendoza for the record, there has obviously been a lot of discussion about what is in these packets, the exhibits, and he stated that the Board is not asking a lot of questions at all. He stated that he appreciates the questions that Mr. Callagy has because it shows that you guys are trying to figure out what is actually happening. He did explain that there is more in the packet that they are talking about that they are not allowing him to give an explanation. Captain Mendoza stated that he would appreciate it if there is anything else that they would like to bring up and have a conversation.

Director Callagy for the record, Captain Mendoza again, stated that he has been presented with everything that has been presented to the Board. He stated that this is his time to dispute or ask questions about this, not for us to ask questions other than what he just asked him. He stated that they are not here to present line, by line, by line, that they have what he's got. He added that if there is something in there that he disagrees with, they would love for him to please state how he disagrees. Director Callagy stated that that is what this session is about, it is not about presenting.....

Captain Mendoza stated that he gets it. For the record, he stated that he reads violation to policy, which are pretty vague. There are a lot of things within those violated policies and the exhibits you give him. He stated that he doesn't know their intention or what their perception is but that is what he is here to correct. Their perception, whether it's right or wrong of these violations, you are not giving him an opportunity to address their perception. He added that they are going to make a decision based off of their perception of what the chief has given to them as violations, then that doesn't give him the opportunity to give them an explanation so that they could then set the record straight. Captain Mendoza stated that if that is the way they want to leave it, he is fine with that. He wanted to make it clear that he is trying to understand their perception of said violations so that he can give them an explanation.

Director Callagy, for the record, Captain Mendoza, that is exactly what this session is for. This is not for them to tell him what their opinion is. He explained that Captain Mendoza is defending or explaining the situation with the information we have here and the information that he gives us, we put it together, make a question, and make a decision. If there are questions, after you have answered something, we will present them. Director Callagy explained to Captain Mendoza that this is his time to ask the appropriate questions regarding his concern about whatever section, how he views it and what he thinks about it and give them that information. Director Callagy stated that that is what they are asking.

Mr. Mendoza asked that if he were to ask the Board questions about what he thinks about these things, come on guys, it is pretty obvious. He stated that the Board has to tell him what is it, he is not going to sit here and make a bunch of ideas or assumptions of what they are thinking. He added that it is pretty obvious that they aren't going to engage.....

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Jay Rodriguez, Director, shared that his only concern is the evaluations, and nothing being noted about the complaint that POOL PACT had made in regard to that situation at Cottonwood Elementary School.

Captain Mendoza for the record, added that because it wasn't an issue until we started holding you guys accountable for living up to the contract that they signed. He stated that it is pretty obvious that they have been targeting him from the day that he made a complaint of a hostile work environment, workplace violence case against the chief. Captain Mendoza explained that when the Board is doing this, making these decisions, immediately it is pretty obvious. He stated that he does his job very well in this community. There are a lot of people in this community that revere him and respect him because of who he is and what he does for this community. He added to sit there and make him look like a bad guy is absolutely crazy. He stated that he's not the one making decisions off of one-sided information.

Director Callagy, for the record, stated that they are not making decisions based upon one side of anything. He added that they have the same information that he has and that he has the opportunity right here to try and clarify that information and that is his responsibility to do so and they would love to hear it, without being slammed by him. They would really like him to explain the emails. If he disagrees with a policy violation, why do you disagree with it, why is it wrong. Director Callagy explained that it is Captain Mendoza's opportunity to make it clear.

Captain Mendoza for the record, added that he needs to know why the Board put those policies in there for him to respond to them.

Director Callagy stated that it is because those are the accusations.

Captain Mendoza asked, from who.

Director Callagy stated that Mr. Mendoza has the same packet as the Board has. He added that Captain Mendoza was notified on August 2nd.

Captain Mendoza stated that he has the same packet, the same policy manual, the same contract that we all have but he doesn't know their reasoning for listing those violations. He stated that he is not going to sit here and assume and try and defend something that he doesn't know exactly what to defend. He added that when they asked specific questions in regard to the emails, he was able to respond.

Director Callagy for the record, Captain Mendoza, stated that it is very unfortunate that he is willing to express how he feels about these policies here.

Captain Mendoza stated that it is very clear, very clear. He added that he has nothing to say and that his rep has something to say.

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Ryan Whitlock for the record, understands the Board and wanted to address Joseph as well. He added that he wanted to help clear something up and he understands that this is about the email and the POOL PACT issue and the policies that go along and that were violated with it. He thinks what we are looking for is out of 12.1.1.1, the conduct unbecoming. He is asking what piece of that policy was violated. That needs to be told to our members because there is a lot in there. He stated, discouraged treatment and members of the public. He is asking if that answered their question about how he treated the instructor or did he already address that. He stated that that is what they are looking for, it's not all in compassing here. Mr. Whitlock added that we can't just throw a policy and say that we don't know what part of the policy. He stated, we address falsification of or making a material omission on forms and he takes that as you believe that was the chief's accusations about his timecard record. He added that we address the 12.1.2 which threw that out the window, he stated that he showed them that he had completed all his time, he did the class, he got the certification, they gave him the cert., they let him do it at lunch, he is entitled to that, so he did not falsify documentation. Dishonesty, including intentionally or negligently providing false information, intentionally falsifying records, employment applications. He stated that the dishonesty part is what we are looking at, there are multiple facets of this policy. He added that they have to narrow it down, it is not all of them.

He thinks that is where his frustration is coming from, and he believes that he hid that as well. He stated that we don't believe Captain Mendoza is not dishonest, he called POOL PACT and he let them know he was going to be late, he didn't falsify documentation, that is the 12.1.2. Willfully or intentionally violating or failing to comply with the district's policies, he added that there is a lot in these little policies that are not being explained and is he covering all of that with his explanation. Mr. Whitlock is asking the Board if that is good enough for them and what are they are looking for out of there. He is also asking if they are going to narrow it down a little bit or make a shotgun approach.

Chairman McCassie is asking attorney Rebecca Bruch if she has a response or a question.

Rebecca Bruch, attorney for the department, stated that she would like to make an observation and remind the Board that they are sitting as his supervisor, in the shoes of the chief because of the events that occurred on June 15th when you took over the supervision of Captain Mendoza. She added that what they are all trying to do is to provide Captain Mendoza with all of the due process to which he is entitled. After everybody has said everything that they want to say is in this portion you will then deliberate, you will sit here in open and have a discussion deliberation and take possible action, at that point each of you individually can perhaps respond to Captain Mendoza well this is my concern because director Callagy may have different concerns that Director Rodriguez because you are not speaking at this point as one voice, to be able to respond substantively to what he's asking. She stated that that is her comment, as long as he's given every opportunity and then you will each be expressing your own personal opinions during the course of the deliberation and then whatever vote you decide to take.

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Ryan Whitlock, PFFN, for the record, shared that he completely disagrees with that. He stated that as a supervisor, you have to be able to give somebody what they're up against. It's not a fair and due process if you don't, I can't guess what part of this 12.1.1 that I'm dealing with, you have to narrow it down. Yes, you say you violated this policy. Within this policy, there is this piece that you violated that we feel and as his supervisor collecting information. If you bring these to us, you have to provide us what piece of that he violated. Mr. Whitlock added that you can't just sit there and shotgun approach that or we can't give you all the information, that's what he's trying to get at. You can't just sit here and keep talking and putting himself into a corner waiting to start talking about something and you guys say I didn't know about that and it's your decision. He stated that you have to specify, granted it's this policy, within this policy here, what are looking for. What conduct unbecoming, what piece of that. Falsification, we already talked about that. He added that he just needs to know and if you guys don't want to answer it, then so be it and we'll just move forward.

Chairman McCassie stated that with the 12.1.11- design including potentially or negative providing false information. We're talking about the timecard.

Ryan Whitlock, PFFN, shared that we addressed that and asked if that satisfies them.

Chairman McCassie added that they gave the Board their explanation. Mr. Whitlock added if that explanation satisfies their need for that policy violation.

Chairman McCassie asked if there are any other questions or comments.

Director Callagy, for the record, shared that they have heard Captain Mendoza's explanation regarding the emails and the conduct at the meeting. He added that they have a statement and 2 different emails from Stacy Norbeck and Jeff Coulam. The Board needs to be able to hear from them and have them testify to make sense of this. We've got a statement from them and a statement from Captain Mendoza and they don't match. Director Callagy stated that having to act as your supervisor due to the chief not being able to do that, I have to be able to hear from both sides personally and verbally.

Chairman McCassie asked what his recommendation is and Director Callagy stated that they need to have another meeting.

Joe Mendoza for the record, Fire Captain stated that he would like to make a comment, that he doesn't even know who Stacy Norbeck is and he doesn't remember her.

Director Callagy asked Captain Mendoza if he knew who Jeff Coulam was and he responded that he was probably one of the instructors and he didn't recall.

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Director Callagy then asked if that was who Captain Mendoza spoke to, and he answered that he didn't know who he was speaking to.

Director Callagy added that according to the letter it is.

Captain Mendoza stated that whoever the instructor was from the 3rd session.

Director Callagy added that he is a Senior HR business partner and training manager.

Chairman McCassie added that Stacy Norbeck is from POOL PACT. He is asking if he wants to set a date for another meeting.

Director Callagy asked how everyone else feels about that.

Director Jay Rodriguez for the record, stated that based on the fact that we're reading an email and they're not here to answer a question according to their statements, then that is probably something that we will have to hear from them verbally.

Director Wheeler added that he would go along with that.

Rebecca Bruch, on behalf of the department, stated to Chairman McCassie that he has no subpoena power and that she could contact POOL PACT and see if they would be willing to speak with him. She added that they may or may not and if they choose not to then they will weigh that accordingly and you make your decision without benefit of whatever it is that they have to say. At your direction, if that's what you choose to do then I will contact them and see.

Chairman McCassie asked if she could, please. He stated that apparently, we just table this, # 6 and #7 until a later meeting.

Captain Mendoza asked if it would be wise to put him on administrative leave so that more stuff doesn't come out of this. He stated that now that he is in the middle of an investigation the Board is having him come to work for a guy who doesn't like him and has assaulted him once already. For the record, I think you guys need to consider something because now you open the door for more things to happen. He shared that since he's been here, he's pulled up stuff from March and April. An incident at Cottonwood was mentioned that he specifically went to and it's in the investigation, but he didn't think that anyone really read it. Captain Mendoza added that he is consistently being targeted in this fire department and that the Board is not making decisions that are good or safe for him.

Director McCassie, Rebecca Bruch, on behalf of the department, shared that that part has not been agendized. A discussion about whether they should put Captain Mendoza on paid administrative leave, so it would not be proper to discuss that. She added that it will be approved based on the transfer of authority and the order, it is a decision the Board will all have to make. She stated that Mr. Mendoza

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will have to be noticed and that discussion to be held in an opening. There, we can talk about whether he's willing to wave his 241 notice but we're really talking about two things here. One, has it been agendized and two, has he been properly noticed. She stated that he can waive that notice sitting here, but she thinks it may be a violation of the open meeting law. The fact that a discussion about that is not on the agenda.

Joe Mendoza, Fire Captain, for the record, stated that it is on the agenda three times, possible discipline mostly including termination. He stated that he thinks that it is within their realm to make a decision and that it would keep the district out of harm's way or having other things come up.

Chairman McCassie asked if it had to be clearly spelled out for her to put him on paid administrative leave.

Rebecca Bruch stated that the question is whether putting him on paid administrative leave is punitive and it is not, it is not some kind of adverse action. It would be specifically not that, and a notice that paid administrative leave was specifically saying this is not punitive and that's the concern that she has. Mrs. Bruch shared that she hears what Captain Mendoza is saying and she doesn't necessarily disagree, but that may very well be a good thing to do but, it needs to be agendized, and if you want to do that as quickly as things can get properly agenda and have a special meeting you can do that with an abundance of caution.

Ryan Whitlock, PFFN, asked the Board how they would normally go about acting in his best interest as a board, to put him on any kind of lead as a supervisor at this point. How would you guys' act in his best interest, or anybody's interest that you guys oversee as a board in the cases agendizing.

Chairman McCassie stated that this is very new, this is testing the waters, that is why we have a POOL PACT attorney and the District Attorney here.

Rebecca Bruch stated that typically this would be his direct supervisor who would be making that decision and you have no open meeting law considerations in that kind of context, but because of this sausage that we've made to try and protect Captain Mendoza the best we can, with that comes the obligations under the open meeting law.

Ryan Whitlock, for the record, believes that the POOL PACT attorney is right. It is very unconventional, this is very outside of the normal, puts everybody at risk, and puts everybody in a bad position. He added that he wants to make a recommendation as a union representative for Mendoza, to put him back to his Battalion Chief as his primary supervisor, without the oversight of the Fire Chief under your guys' direction, and go from there. Mr. Whitlock stated that they took out all his supervisors. It was very clear to see that his supervisor was doing his job, did the job well, and gave the Board his report and evaluations. He added that they were late, but they were done, and they had no derogatory remarks and now we're working backward to find derogatory remarks. He stated that it is

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very, very clear to him that all the accusations came after different issues. He also added that his conduct as a captain is undeniable, and he's doing fine. However, he recommends from his perspective and his time in these positions to give him a direct supervisor on the line who can make those decisions in line and not have to go through the Fire Chief. Have that supervisor report directly to the chair because that would take out the open meeting laws, as attorney Rebecca Bruch said. He stated that the board has decisions that could or potentially couldn't make that could involve an employee that you can't do. He asked, what happens if. If that is the case, there is going to be problems.

Chairman McCassie asked attorney Rebecca Bruch if she concurred with that.

Attorney Rebecca Bruch stated that all roads lead back to OML and that has not been agendized. She added that there was a Board Meeting where there was a decision that was made. If they want to revisit that, they can but it needs to be re-agendized and then you all have another discussion about whether you want to transfer his supervision back to Battalion Chief Myers because that's an option.

Director Rodriguez shared that he knows that the Board was hoping to make a decision tonight and move forward. That is something that he would like to potentially see, not only for the fact that they've heard Captain Mendoza. He stated that he fully completed the course, and he doesn't see anything that is relevant. He explained his response to the timecard, and he doesn't see anything concerning.

Chairman McCassie added that the Board needs to discuss a date and time for a special meeting.

Attorney Rebecca Bruch stated that the Board is requesting a date and time for a special meeting. She is asking them if they have all decided that they want to adjourn this meeting in hopes that you can speak with POOL PACT.

Chairman McCassie added that Captain Mendoza needs to be 241 noticed again.

Attorney Rebecca Bruch stated that it could easily be added to that agenda. There is no reason you couldn't bring that up and if it doesn't fit at the time then they can choose not to address it.

Chairman McCassie shared that they will probably push the special meeting out because he will be in Texas from the 20th to the 27th. He mentioned that they would have to notice for the special meeting and then 241 Captain Mendoza. He stated that it would be the end of August or the beginning of September.

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Attorney Rebecca Bruch shared that she will be out of the country from August 26 to September 3rd and she will not be available.

Mrs. Kasey Miller stated that it would be 5 working days for Captain Mendoza to be noticed. If we noticed him by 8:00 a.m. tomorrow. She is asking if we could hold the meeting on Thursday the 17th before everyone leaves town.

Chairman McCassie stated that he is available, and Director Callagy stated that he would have to attend that meeting by Zoom.

Ryan Whitlock, PFFN, asked if they could get the meeting with the POOL PACT Representatives to ask them; there's a lot more that goes into this.

Attorney Rebecca Bruch added that if Captain Mendoza were to get noticed tomorrow, 5 working days would be Friday, Monday, Tuesday, Wednesday, and Thursday. She added that we are on the line there, whether that is the full 5 days. She is asking what time we are going to do this. She stated that Captain Mendoza can waive that time if he's willing to do that and then we would only need three working days for the agenda. He can waive that if he chooses to do so and if the POOL PACT folks are willing to appear.

Chairman McCassie mentioned that will be the question if they are willing to appear.

Attorney Rebecca Bruch, added that in any event, they can pick up where they left off with item #7 and if they choose not to appear then you can deliberate and discuss what you want to do and you can address the issue about substituting the Battalion Chief, if you want to do that. She mentioned asking Captain Mendoza if he is willing to waive the 5 days for a hearing at 5 o'clock on the 17th.

Mrs. Kasey Miller interrupted to clarify the meeting time is 6 o'clock on the 17th.

Chairman McCassie asked Captain Mendoza if he was okay with waiving notice.

Ryan Whitlock, PFFN, asked for the dates and what day they were going to notify him.

Attorney Rebecca Bruch added that he could give his notice tomorrow for a hearing on the 17th.

Ryan Whitlock asked if the rules are that you have to have 3 days not including the day of the meeting. He also added that that is a 3-day notice without the day of the meeting.

Attorney Rebecca Bruch added 1,2,3,4 that if you do it on the 17th, that is not 5 days. She stated that she thinks that it is not 5 days, 5 days isn't until the next day, the 18th.

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Chairman McCassie added that Thursday's date being the 17th is cutting it close.

Mrs. Kasey Miller added that it would not happen until after Labor Day at that point with everyone being out of town.

Captain Mendoza for the record, is asking whether you get the meeting with POOL PACT or not, we will be having a meeting that week.

The Board responded yes, basically, this will continue. The Board discussed having the meeting one week from today, August 17th at 6 o'clock and is asking Attorney Rebecca Bruch if it is possible to put this together within one week.

Mrs. Rebecca Bruch stated that she thinks we can, and she is available on the 17th. This all revolves around POOL PACT but as Director Rodriguez and Captain Mendoza just said, the meeting will go forward, assuming he waives. The meeting will go forward on the 17th either way.

Chairman McCassie asked Captain Mendoza if he was okay with waiving the notice.

Captain Mendoza, North Lyon Fire, stated yes, that he does agree to waive the notice.

Chairman McCassie stated that they will table items #6 and #7. Chairman McCassie, Rebecca Bruch, and Mrs. Kasey Miller had a discussion regarding items # 6 and #7.

Ryan Whitlock for the record, commented on his consideration discussion of possible action on his job performance. He stated that he is on an extension, and is asking how long the extension is, if he's been given a date, a time, and if he has been notified.

Mrs. Rebecca Bruch asked him to repeat the question.

Mr. Ryan Whitlock is asking if Captain Mendoza has been notified how long his extension is, a month, two months, or three months.

Chairman McCassie is asking if he is talking about the probation extension.

Mr. Ryan Whitlock added that if this impacts his probation, he does not believe he was advised on how long he was going to be on probation for

Chairman McCassie confirmed that it was up to six months.

Attorney Rebecca Bruch stated that under his contract, there can only be a 90-day extension and that ends on September 30th. The Board extension was long enough for the Board to consider because if you recall the issue was that this was very new and that you all felt like you

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didn't have enough information at that time to make a decision to do what you needed to do as his supervisor. She shared that there was no date certain, it was an order to allow you to be comfortable with whatever decision you were going to make. She explained that his probation is extendable only until September 30th.

Chairman McCassie stated that they are tabling #7 and he asked the Board and they all agreed on that.

Director Rodriguez asked if tabling item #7 is going to be what next week is going to be about and his response was correct.

Chairman McCassie shared that there is a date and time, one week from today. He also added that we will continue with item #8.

Chairman McCassie called for a recess at 6:30
Director Callagy left the meeting during recess.
Chairman McCassie resumed the meeting at 6:36

7. Consideration, discussion, and possible action regarding job performance of Joseph Mendoza, including possible discipline up to and including termination*

This item has been tabled.

8. Discussion and possible action regarding Assistant Fire Chief Job Description*

Chief Nicholl for the record, presented the Board with a job description that is for an Assistant Chief, as part of succession planning, moving into the end of his contract assigned here. He stated that we need to start looking for continued leadership for the district as we talked about in the last Board meeting or the one before. He shared that this has gone through legal review as well as POOL PACT and it is very similar to the Fire Chief's job description. However, it does have some specifics that are highlighted more as the Assistant Fire Chief job description. In the review of it there was one item that I would ask to add under the essential job functions, an item to amend that would include as a principal grant writer and a coordinator because there is nothing in the job description about writing grants or anything like that. Chief Nicholl added that he would like to put those into the essential job description. Chairman McCassie added that he would like it added also because it is an important part of the district and the department.

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Chairman McCassie asked the Board if they had any objection to adding part of the qualifications for the Assistant Chief to be a grant writer with grant writing knowledge. The Board agreed.

Director Harry Wheeler made a motion to accept the job description for the Assistant Chief, adding the grant writer specifics to the job announcement.

Director Rodriguez seconded the motion.

The motion carries as follows: 3-0-2

McCassie	Aye	Callagy	Absent
Wheeler	Aye	Murphy	Absent
Rodrigues	Aye		

Chairman McCassie, for the record, shared that Director Callagy was not feeling well and has been excused.

9. Discussion and possible action regarding Assistant Fire Chief Recruitment*

Chief Nicholl shared that we have contracted with Western Fire Chiefs in the past to conduct confidential recruitments. The confidential recruitment when he was hired was through Western Fire Chiefs, it is a process that Chairman McCassie is familiar with. He shared that they've reached out to them again to take their temperature on their willingness to assist and conduct the recruitment for the Assistant Fire Chief. They have given us back a bid to do it and the end result is, 18% of the candidates agreed upon annual salary is due at the end of recruitment. We do not have a salary set yet, but this is a good way to get good candidates. He presented the Board an email from Ann Razo to contract with them to begin recruitment for the Assistant Fire Chief that was just approved.

Chairman McCassie is asking about the job description for Assistant Chief, shouldn't the salary have been some type of range put in the description.

Chief Nicholl explained that there was a range put into the description at the advice of legal, we took it out as well as the benefits. That would be in the job announcement and the benefits package would be included in that. It wouldn't be in the job description because if those things change then we would have to go back and change all of the job descriptions.

Director Rodriguez asked if we have this in our budget and Chief Nicholl responded yes, we do. Director Rodriguez also asked if there is an opportunity for anyone who is already employed by

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North Lyon Fire, that would be able to take on the responsibilities of an Assistant Chief without having to go and recruit and add another position.

Chief Nicholl responded that he didn't believe so and he thinks there are some candidates, but anybody employed would not meet the criteria that the district is looking for. He explained that this is a position that they would not be limited from applying, they would just have to apply through the Western Fire Chiefs process. Western Fire Chiefs then screen the candidates, interview the candidates, and then they present a finished product of multiple candidates to choose from. Those candidates are then brought forward for review. It is a very standard executive recruiting practice.

Director Rodriguez mentioned that we do have it in our budget to hire an Assistant Chief, and Chief Nicholl responded, yes. He is also asking if we have it in the budget to accept this quote from Western Fire Chiefs Association as well.

Chairman McCassie explained that it is 18% of what we set their salary at, and we have one year to pay that as long as we keep them and they also have a 1 year probation period. If 6 months after we decide that's not who we want if we choose to keep them and they go past their 1 year, that is when we pay that and budget that into the next budget cycle.

Chief Nicholl added that any employee that meets the minimum criteria could apply and then Western Fire Chiefs is a 3rd party, no bias, they take the best candidates, they come interviewing and then bring the best candidates forward.

Chairman McCassie shared that the nice thing about the experience of using a recruitment company is they had multiple people apply, including military personnel and a Federal Firefighter out of Fallon. It opens the pool for the hiring process, to be able to look through and say that they would like to interview this candidate and choose them by #1, #2, and so on. He explained, when Chief Nicholl was hired, they picked 4 people and one of them re-enlisted in the Marine Corps., so it went down to 3 and that is how we picked a chief.

Chief Nicholl added that the 18% would be included in next year's budget. It would have to cover the funds through agreement but then it would be paid out of next year's budget.

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Director Harry Wheeler made a motion that we accept the quote from Western Fire Chiefs for the position of Assistant Chief for North Lyon County Fire for recruitment.

Chairman McCassie seconded the motion.

The motion carries as follows: 3-0-2

McCassie	Aye	Callagy	Absent
Wheeler	Aye	Murphy	Absent
Rodriguez	Aye		

10. Discussion and possible action to approve a resolution of the North Lyon Fire Protection District to modify the Incident Fee Schedule for updated costs in 2023*

Chief Nicholl shared with the Board, what is in front of them is resolution 2023-01, pass the Fee Schedule by process matter of policy during the budget. Our budgetary figures were calculated based on the Fee Schedule that was passed when the budget was passed. In order to conclude that and move forward with making things more consistent, more transparent, and easier to follow, we are going to start doing the Fee Schedules and any additional monetary items as resolutions. He stated that this is under the advice of legal that we start doing Fee Schedules as resolutions. This resolution in front of you basically takes the Fee Schedule that was passed by way of policy, you can see that there is exhibit A during the budget year and institutes it as a resolution and that is it. There are no changes in the figures, it just institutes a resolution in addition to the policy that was passed for the fee schedule.

Director Wheeler made a motion to accept resolution 2023-01.

Director Rodriguez seconded the motion.

The motion reads as follows: 3-0-2

McCassie	Aye	Callegy	Absent
Wheeler	Aye	Murphy	Absent
Rodriguez	Aye		

11. Discussion regarding Troubled Debt

Chief Nicholl stated that at the last board meeting, you saw one of our collections managerial reports that were a couple of hundred dollars. He mentioned that questions were asked about what happens with troubled debt, and he told the Board that at the next board meeting, he would come with a presentation to show how the troubled debt process works. He presented the Board with 2 pages with a graph on the front and a flow chart for an algorithm on the second page. He stated that he is going to go through it really briefly of how our billing process, not just for ambulance fees but also for any cost recovery works. Chief Nicholl explained that it starts as an

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incident, someone calls 9-1-1, we go out, we respond, and we perform work. At that time there are certain policies that we have that our firefighters are required to gather certain amounts of information and that information is then put into our electronic record-keeping system. When it is put into the electronic record-keeping system, it is then submitted to administration, and it starts the QA process. The majority of our calls are non-billable, and we don't charge anything for going on these calls but an ambulance call, and sometimes some fire calls become billable calls and they go into 2 categories, first is non-billable, and second is billable. Once it goes into billable, then the QA process kicks up and we have a really robust policy about quality assurance and quality improvement. We have robust policies to talk about what information needs to be contained in that and what timelines that information needs to be done. Chief Nicholl shared that Mr. Stephen Emery has a whole list of things to do before any of these calls go to billing and in that process, if he finds discrepancies, he then has two choices. He can either send it to billing based on enough information or he can send it back to the crew. He explained that if you go to the left, he notifies the crew that they are missing information, it gets sent back to the crew and by policy, they have a certain time frame in order to complete that information. Once they complete it, it goes back to Stephen, he reviews it for completion, and he sends it off to billing. He explained that all of our medical billing goes electronically to First Professional Services, and they have an internal process that usually takes anywhere from 45 to 120 days, depending on what the insurance company is and what information is there. We try and give them the best information that we can, but all that information is based on what the crews get at the time of service from the hospital or what we are able to glean through the QA process after the crew is done with their report. From there it goes into splits into 2 categories, it is either paid or it becomes troubled debt. If it's paid, say we have a \$2000.00 ambulance bill and their insurance says they are going to pay \$1500.00 of it and you have to accept that \$1500.00. We accept that as paid in full and now we track that \$500.00 that we have to write off, which is called contractual write-off. He explained that we then get the \$1500.00 and we have to contractually write it off, that call is done, and the billing process is over with. When it's troubled debt, 90 days when the warnings start going off and 120 to 150 days, sometimes longer depending on what their communication is with First Professional. They then determine this set of medical billing calls that the insurance has not paid on, or what is actually most common is the incorrect information was given. In a lot of cases, the payment for the ambulance bill was sent to the patient instead of us. Chief Nicholl explained that there are several insurance companies that pay this way, they anticipate that the patient is going to pay us, and they send them the check. Then we get the report that has all the phone calls that have happened, all the letters that have gone back and forth to the patient and we go through and look at them. We maybe get 50 incidents, once a month that we put extra time into. Once that stack gets to us, he goes through line by line, piece by piece on every one of the incidents and most of the incidents are Medicare or Medicaid calls, where they have that Medicare or Medicaid is paid and it leaves a portion of the hypothetical \$2000.00 ambulance bill. Medicaid has paid \$500.00, they require us to write off \$1300.00 which leaves a \$200.00 balance that the patient is expected to pay. He explained that in most cases, if the amount is \$200.00 or less, the amount of staff time that it takes back and

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forth to get that \$200.00, we don't pursue it, and we just write it off. We take what Medicaid pays or what Medicare pays, and we contractually write off the line share and the small portion that gets turned back to us in trouble debt, we write off and we don't pursue it. However, there are a lot of cases where we do pursue it, so what we do is scour all of the billing notes and he looks at the run sheets. He explained that Stephen then requests new information from the hospital because sometimes we get new billing information from the hospital. If we get new billing information from the hospital that has additional insurance information, corrected numbers or corrected names, that is then sent back to First Professional, and they rebill it the right way. If we run into a dead end, and someone has a \$2000.00 bill that they are just not paying or the insurance sent them the check, they're not sending it to us, they don't answer our phone calls and we send them to collections. He explained that that is where it ends, at collections. Once it goes to collections, we receive a very small portion of that. The majority of the money that we return on troubled debt comes from Stephen doing the work and getting it back to First Professional so that they can bill it because when First Professional does it, we pay a very small percentage as opposed to sending it to collections, letting collections do it and paying a percentage that is 4 times as much as we pay into the billing company. He stated that that is our process, and it is very labor intensive. It is one of Stephen's primary AOR's and he spends a lot of time doing it.

Going back to the first page on the graph, from 2019 and before, our figures on revenue and our figures on troubled debt are very sketchy. He stated that EF Recovery does not do any of our billing anymore, and they basically gave us a thumb drive with encrypted data that we are not able to really get into. He explained that in the first column, from 2015 to 2019, that is what we had. NBF is our collections company, and when he started this, he asked for all of the accounts, and they sent him an itemized list of all of the accounts that we had. He explained that the \$29,733.00 that we have registered troubled debt from 15 to 19, that is all there is and that's divided into 3 categories. It's either active, we wrote it off, or it was paid and in this case, it is active at NBF. Chief Nicholl shared that we have 11,000 active from 4 years plus ago, we've written off \$9882.00 and we had a total paid through the collections process, which includes all payment from NBF of \$8640.00.

Fast forward to 2020, it is a new billing company and a new process. Chief Nicholl stated that instead of not knowing where this money is going, we have queued up our rate increases to be more representative of the market. You can see in 2020, out of the total gross collected, which is all again in the matrix. We had a gross billing of \$3,522,103.36 in gross charges and our net revenue from that 3 million during that first year was \$617,000.00, which we anticipated because it was a new billing company. He explained that the difference between 3 million and 617, equates to what is contractually written off before we even get it. He stated that the column that you see is the troubled debt, and we received \$545,232.87.00 in 2020, or with 2020 accounts, and \$340,000.00 of that is currently at collections and they are pursuing it, 95% of that is dead ends and we do not get any of that because it just sits, and no one pays it. He added that \$182,000.00 is what was written off, that is hardship write-offs, additional contractual write-offs or the small write off of \$200.00 here and there. The \$22,000.00 is the actual payment combined with the payment that was received from the QA process that Stephen does and NBF.

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We actually got paid \$22,000.00 off of \$545,000.00, these accounts are old and the rest we are not going to get.

Moving forward to 2021, we had the same breakdown except instead of \$3.5 million dollars in gross revenue, we had \$4.48 million in gross revenue. Moving forward to 2022, we had \$5.6 million in gross revenue. He stated that so far to August 1st we have \$3,294,000.00, and that is all in the matrix below the graph. He mentioned that collections are 4 to 5 months before we start getting them, and we will still get 2023 accounts that we will put in the 2023 bucket in 2024. Chief Nicholl shared that sometimes we still get 2021 and 2022 calls today, he shared that he got a list today because someone was making monthly payments of \$50.00, and they just stopped from 2021 and are now in the collection process with a new balance. He explained that this is how the process works and that is where the money is. When we say we gross billed out \$5.6 million in 2022, we got in net revenue \$1,400,218.50. The majority of it is a contractual write-off and the rest of it becomes troubled debt and it doesn't get paid. To put that into context as to what we are facing today, he has volume statistics. In 2020 we transported a monthly average of 112 patients and in 2020, our average gross daily billable was \$9,623.00, which means that in 2020 we had 2 ambulances. Those 2 ambulances created enough invoices out for \$9,623.23 per day. He stated that we are only getting paid 28% of that, and that is how much they grossed out. In 2021, you see total transport volume went up 23% and the total call volume went up 13%. We had 138 average transports and 315 average call volume per month. Fast forward to 2022, we had a 7% increase in call volume and a 7% increase in total call volume for all calls, to 148 average calls.

Chief Nicholl stated that 2023 has not been good to us. We have a 10% decrease in total transport volume and a 9% decrease in total call volume. There have been a few situations that have happened and forced us to basically give away 150 transports. He explained that 150 transports at \$3000.00 per transport is a lot of money that was given away. He stated that our crews do a good job determining who needs to go to the hospital. There is not one time that he could ever say that one of our paramedics, one of our firefighters or one of our EMT's doesn't transport when it is necessary. He added that this is not a crew issue or a personnel issue, they are doing a great job. Fewer people are calling 911, and fewer people are wanting to go to the hospital. We still have to have a certain amount of money coming in to make our budget.

Chief Nicholl shared that in 2021, the gross billables per day was \$12,000.00 and in 2022, the gross billables per day were about \$15,440.00 and in 2023, so far it is \$15,111.00 as of August 1st. He explained that where that matters is, that we need the gross to go up because as the gross goes up, we only get paid on about 28% and less of that. We are only getting \$600.00 to \$700.00 per transport and that doesn't make budget unless we have the volume there.

Chief Nicholl continued to explain the call volume graphs that are broken down by percentages of calls. He explained that the red in all of the graphs are fire calls specifically and we maintain around

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12% to 13%. The grey area with the black outline is medical cancels, meaning that we go out on a call, we don't transport, we take care of them, they don't want to go to the hospital, and we pack up and go home and those go into the non-billable side. The blue is when we don't transport but the patient has used a consumable. Now they've started an IV, given them Narcan, and they don't want to go to the hospital, we still have to recover the cost of providing that service. He added that the green area are the calls that get transported. He explained that in 2023 we were at 43% and in 2022 it was 44%, but when we are talking about these types of numbers, 1% is a big change, we are off a total of 10%, and that is trouble. The crews go out and they do their jobs well, and we have policies in place that when they go out on calls, they have to get insurance information. If they don't get the insurance information, we may not get paid for that, if we don't get paid for that, it makes the budget difficult, and if the budget is difficult none of us get paid. That is how important it is.

Chairman McCassie is asking if there is a way to increase that 28% collection.

Chief Nicholl shared that there is net, and there is net of net, and 28% is really good. He added that he would like to be in the 30th percentile and most places are in the 21% to 23%. He mentioned that this is not for quoting, he does not have the stats, but of the 15 clients that our company uses we are in the high-mid range of collections, and we are very effective. When it comes to the 28%, you also have to look at the demographics and you have to consider our demographics with the percentage of the population that has health insurance, the percentage that has subsidized insurance, or the percentage of the population that has no insurance. We have a lower percentage of the population that has 3rd party payer insurance and we have a larger population of people that have subsidized insurance. Whether it be Medicare, Medicaid, Social Security or some other government funded insurance and the largest portion of our population doesn't have insurance or they are underinsured. They have insurance that says that they are not going to pay for the ambulance bill, we will pay for your surgery, but they won't pay for the ambulance bill. That is underinsured, and those go into the no insurance category. Chief Nicholl explained that when you look at our demographics, the more our demographics become more diversified in the community and the more companies that come in. The more that we can bring into the community the better insured it is going to be in our population. The more insured it is in our population, the more there is in turn to return on payments for insurance.

Chairman McCassie shared that with all of the growth and the companies that have come here that offer more benefits. Before it was never big but now, they are using it as a recruitment tool.

Chief Nicholl added that luckily for us, we range right about 40% of our clientele transport population has insurance, and about 60% of our clientele does not have insurance. They can say they have insurance, but it is not that easy. For example, they can say they have Medicaid but unless they get renewed every month, they don't have Medicaid. He explained that they can have Medicaid on the 30th of the month but on the 1st of the month they don't have Medicaid and we've transported them on the 1st of the month, and you don't get paid for that. You have

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got to talk to the hospital, because being tired and forgetting to get the billing sheet is a big financial deal, it's not a policy violation. That impacts the district's bottom line every single transport, and it happens. So, we send that back to the crews and they usually do it. Chief Nicholl stated that he and Stephen have a process to follow up and take care of those things. He added that we are sitting at about 30% troubled debt, and that is low. He stated that he is very happy with our process, he'd like to see it lower but in medical billing for ambulance, around a 30% troubled debt threshold is really good. Chief Nicholl stated that in 2023 of the gross billables of \$3.294 million, we only have \$28,000.00 that has been turned into collections, and it takes time. We will get 2023's at the end of 2023 and into 2024.

Director Rodriguez stated that there were large numbers from 2020 to 2022, he's asking if he anticipates 2023 reaching anywhere close to those numbers.

Chief Nicholl responded that he does, and he also anticipates that we are going to maintain about 30%. He also added that he has been using this particular QA process and this particular billing process and he's been able to fine-tune it over the course of the past 15 years. He added that we have a policy that says that documentation has to be done within 6 hours. He explained that if they get a call and they go to the car accident, they take that person to the hospital. The very first person that comes into the hospital to meet them is the registrar, to get their insurance information. He explained that auto insurance has something called PIP, Personal Injury Protection coverage and it is about \$3000.00 per person. Personal injury protection coverage is first come, first serve. If the crew doesn't get the report done on time and it takes 5 days for them to come back on duty to go get the information, if they do not, we may not get paid. Chief Nicholl explained that the hospital gets there really quickly. We try and have our billing go out every other day or every 2 days. We do not wait a week or 2 weeks on end for billing to go out, we want it to go out quickly. As soon as the crews finish a call, they get it through the QA process very quickly so that it can get into the hopper because we want to be the first person. He explained that \$3000.00 doesn't cover an ER bill, it doesn't cover the ER bill in total, it doesn't cover the doctor in total, it doesn't cover anything that happens there. If the hospital gets there first, when we get there, there is zero. We have a mechanism to make it as fast as possible and maximize it and it is labor intensive and the guys do a great job at it, but the labor really comes in after the fact in the troubled debt cycle.

12. Reports of Directors, Fire Chief, Fire Marshall, Staff, Volunteers, Local 4547, City of Fernley

Director Rodriguez, for the record, on the discussion and possible action regarding the Assistant Fire Chief recruitment. He stated that he would like his vote to be recorded as a nay.

Chairman McCassie stated that he thinks they would have to reopen that to do that, so we are going to back up a little bit. He added that we are going to go back to item #9 and rediscuss possible action regarding Assistant Fire Chief Recruitment. He asked Director Rodriguez if he has any questions on that and Director Rodriguez answered no.

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Chairman McCassie then asked for a motion and a second.

Director Wheller made a motion that they accept the job description for the Assistant Fire Chief Job Description.

Mrs. Kasey Miller interrupted, stating that this is not for the job description.

Chairman McCassie then clarified that it is for the recruitment, item #9 and Director Wheeler agreed.

Chairman McCassie asked him if he is making a motion to approve and Director Wheeler responded, yes.

Chairman McCassie seconded the motion.

Director Rodriguez answered, nay.

Chairman McCassie then added that there are 1 nay, 2 absent and 2 aye's.

The motion carries as follows: 2-1-2

McCassie	Aye	Rodriguez	Nay	Callagy	Absent
Wheeler	Aye			Murphy	Absent

Directors - None

Chief Nicholl shared that hopefully everyone has seen the Rehab van that has finally showed up. We have a little bit of work that we are still doing on getting it ready to go. It is a spectacular mini van and it was paid in portion by American Battery Technology Co., as part of their builder developer agreement. He shared that the Type 3 that was purchased from Truckee Meadows is currently at service, getting run through. We should be getting it either tomorrow evening or on Monday and then it will get outfitted, get people trained on it, and put it into service. He added that right now, there is a crew out in California with the Type 3, so we have no Type 3 in district and we hope to remedy that very quickly.

Chairman McCassie mentioned that he noticed the bay doors open and the compressor was out, filling tanks and he was wondering if it was a test they were doing.

Chief Nicholl explained that the bottles are big, and it takes about a half hour to fill one bottle with that compressor, and it took 6 hours. They had to pull it out and fill the bottles. He added that the Rehab Van should be in service within the next week, week, and a half. He also stated to the Board that he thinks they should have a separate legal brief for other issues, and that would be something for them to try to put on the agenda.

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Fire Marshall Tim Myers shared that we have 4 large buildings going up and getting close to getting the shell complete on 3 of them. There are 2 more large projects coming up on Main Street.

Staff- None.

Mrs. Kasey Miller informed the Board that Chief Nicholl's evaluation is in their mailboxes and is due. They talked about it and are going to be talking about it at the meeting on September 14th. She is asking that she get those back by September 1st or the following Tuesday, September 5th, so that she and Chairman McCassie can go over them, notice Chief, and make everything legal. She asked that they please get those done and back to her.

Volunteer, Becki Howlett shared that she is excited to have the Rehab Van here and she is looking forward to the training on how to fill the bottles.

Chairman McCassie asked if we were slated for any training.

Chief Nicholl shared that there are a couple specialty pieces that needed to be ordered, so we can't fill our bottles yet. He added that as soon as they get here, we will install them, and we will do the training.

Local 4547, Union President shared that they do not have anything planned yet. We may be doing public assistance with a concert here shortly, they are just waiting to get some feedback. Other than that, he shared that they have those complaints that are at the arbitration level and 3 more grievances and that is it.

City of Fernley- None.

13. 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.)

None.

14. Adjourn

Chairman McCassie adjourned at 1922.

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NOTE(s): All items indicated by an asterisk (“*”) were Action Items.
A complete and detailed record of this meeting was recorded on Micro SD Recorder August 10, 2023

Respectfully Submitted by:

_____ September 28, 2023
Shannon Moffett, Administrative Assistant Date
North Lyon County Fire Protection District

Approval of Minutes

	<u>For</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>	
___ Approved as Read	___	___	___	___	___
___ Approved with Corrections	___	___	___	___	___

_____ September 28, 2023
Dan McCassie, Chairman Date
North Lyon County Fire Protection District

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MINUTES

NORTH LYON COUNTY FIRE PROTECTION DISTRICT

August 17, 2023

1. Call to Order

The meeting was called to order by Chairman McCassie at 1811
Directors present included Dan McCassie, Harry Wheeler, Paul Murphy, and Jay Rodriguez.
Director Callagy joined via telephone.

The Pledge of Allegiance was led by Chief Nicholl. A moment of silence followed.

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.)

None.

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 and citizen may request an item be taken from the consent agenda, discussed, and acted upon separately during this meeting.)

3a. Review and Approval of Board Agenda

3b. Review and Approval of Board Minutes

3c. Review of Summary Reports

Director Rodriguez made a motion that the Consent Agenda be approved.

Director Wheeler seconded the motion.

The motion carries as follows: 5-0-0

McCassie	Aye
Callagy	Aye
Wheeler	Aye
Murphy	Aye
Rodriguez	Aye

Mrs. Kasey Miller asked if everyone could please be sure to speak loudly since we do not have Zoom going.

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4. Consideration, discussion, and possible action regarding job performance of Joseph Mendoza, including possible discipline up to and including termination*

Attorney Rebecca Bruch, on behalf of the department, suggested that it would be appropriate for Chief Nicholl to not be here, and Chairman McCassie excused Chief Nicholl from the meeting.

5. Closed Personnel Session for consideration and discussion of job performance of Joseph Mendoza

Chairman McCassie asked Captain Mendoza if it still of record that he would like to keep it an open session and he responded that it is confirmed that he wanted it to be an open session. He also wanted to confirm that he would be released from the line so that he doesn't have to respond in the middle of this meeting and that he is allowed to stay for the duration of the meeting without being responsible to respond with his crew.

Chairman McCassie confirmed that there was an email sent out earlier regarding the situation, and he stated that they did find someone to fill his shift as a captain.

Director Murphy asked if that email was sent out to everybody, and Chairman McCassie responded that it did go out to everyone. Mrs. Kasey Miller, for the record, responded that it did not go out to everyone. It was between Chairman McCassie, Attorney Rebecca Bruch, and she added that she thinks Aaron Mortenson, the City Attorney. It was decided yes that she, Stephen Emery, and Chief Nicholl discussed it, that there was coverage during this time, and that he be released from duty during the time of the meeting. Mrs. Kasey Miller stated that Captain Mendoza is still being paid, he is just not running calls right now.

6. Session Reopened to Consideration, discussion, and possible action regarding job performance of Joseph Mendoza, including possible discipline up to and including termination*

Attorney Rebecca Bruch, on behalf of the department, stated that at the last meeting, there were some documents that were presented to the board from Captain Mendoza that were attendance records, certificates of completion, and officially for the record, it would be appropriate for you to accept those into the record as part of the board packet. She stated that today, there were emails that a statement was provided to the board from Battalion Chief Myers that should also be considered to be accepted by the board.

Chairman McCassie asked the board if everyone had the letter from Battalion Chief Myers, and they all responded, yes.

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Director Rodriguez asked if they needed to make a motion to accept the letter as an exhibit and Attorney Rebecca Bruch stated that she didn't think they needed to, but it wouldn't hurt anything if they wanted to do that as a formality, she doesn't think it is necessary.

Director Rodriguez made a motion to accept the email that was sent to the board by Battalion Chief Tim Myers as part of the board packet.

Director Harry Wheeler seconded the motion.

The motion carries as follows: 5-0-0

McCassie	Aye
Callagy	Aye
Wheeler	Aye
Murphy	Aye
Rodriguez	Aye

Attorney Rebecca Bruch asked the board to make a similar record regarding the documents that Captain Mendoza gave them last week because she doesn't think that it was formally addressed.

Director Rodriguez confirmed that that is for the Certificate of Completion and Attorney Rebecca Bruch responded with yes.

Director Rodriguez made a motion to accept the Certificate of Completion from Captain Joe Mendoza, and his training, into the board packet as well.

Director Wheeler seconded the motion.

The motion carries as follows: 5-0-0

McCassie	Aye
Callagy	Aye
Wheeler	Aye
Murphy	Aye
Rodriguez	Aye

Director Wheeler stated that he had a motion and Chairman McCassie added that he had a little housekeeping to do. Chairman McCassie then asked Captain Mendoza if he had anything else to add that may pertain to this.

Captain Mendoza added that he does have something else to add.

Attorney Rebecca Bruch interrupted and added that she had one more thing to make a record of. She stated that last week, when we adjourned that was because Director Callagy had requested a recess because he had some questions for Stacy Norbeck and Jeff Coulam, who had provided the email regarding Captain Mendoza's conduct at the training. At your direction, she contacted them, and they all agreed that they would entertain questions in writing and not appear here. Based on that, she sent an email to the board and if they had any questions, to submit them to her and she would then provide them for responses from Stacy and Jeff. She

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stated that she was told by all the board members that there were no questions. She added that she has also contacted Captain Mendoza through his attorney, to allow him the same opportunity to present questions. She did not hear back from his attorney, but she spoke with Captain Mendoza before we went on the record, and he confirmed that he did not have any questions for Stacy or Jeff.

Director Rodriguez made a motion to accept the record.

Director Wheeler seconded the motion.

The motion carries as follows: 5-0-0

McCassie	Aye
Callagy	Aye
Wheeler	Aye
Murphy	Aye
Rodriguez	Aye

Captain Mendoza, for the record, stated that he has a statement from a student of the POOL PACT training, and he is going to read the statement and provide the board with a copy.

To whom it may concern,

My name is Tony Wilson, and I was an attendee at the Essentials Management POOL PACT Training earlier this year in Carson City. It was brought to my attention that Joe Mendoza was supposedly being disruptive and unprofessional on the last day of training according to the third presenter. I would like to start by saying with all honesty that I see how his comments and answers could have been taken in a sarcastic manner, as his answers were in response to questions that were given with a sarcastic presentation. If the presenter himself was looking for professionalism the entire time, it would have been difficult for any person in the room to decipher, wanting intrinsic professional answers.

I and many others were there the whole time, and I didn't feel that Joe's comments, behaviors, or demeanor was unprofessional or disruptive of any sort during the duration of the course. I can also say with upmost certainty that not one person had said or complained to me about Joe, while I can say with confidence and vivid memory of hearing multiple complaints about other attendees and presenters. However, Joe's name was not mentioned during any of those. I hope this brief statement helps with the person that seems to be falsely accused of something that did not happen in the context that it was perceived. I would gladly answer any questions or concerns that anybody may have in regard to the training as I was able to attend this training with Joe.

For the record, Captain Joe Mendoza stated that he doesn't even know this guy, he met him in passing and he was a student who sat across from him. This is Tony Wilson, an Assistant Principal at SSES and all of his contact information is here.

Chairman McCassie asked if he had a copy for each of the board members.

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Captain Mendoza added that there were multiple students that were in that class that he believes he would get the same statement from. He also stated that he believes that he is a Lyon County employee for the school district.

Chairman McCassie added that he would make sure that Director Callagy would get a copy of this and that he would send it to him by email.

Captain Mendoza asked to proceed with the motion to have that added as well, please and Chairman McCassie responded with absolutely.

Director Rodriguez made a motion to accept the letter from Tony Wilson as part of the board packet.

Director Wheeler seconded the motion.

The motion reads as follows: 5-0-0

McCassie	Aye
Callagy	Aye
Wheeler	Aye
Murphy	Aye
Rodriguez	Aye

Director Rodriguez is asking Captain Mendoza, with this letter being presented to the board today and he advised that he did not know who this person is, what prompted this person to write this letter, and when was it written because there is no date,

Captain Mendoza stated that he does not have a personal relationship with this man. He met him at the class and ran into him at the Fernstock event. When he noticed his face, he told him what was going on and asked him if he would be willing to write him a statement. Captain Joe Mendoza then shared that he then emailed him that statement in hopes that he could be here today, but he may or may not show up.

Director Rodrigues added that the only reason he asks is because it is not dated and also the class is not dated but is accepted into the board packet.

Captain Joe Mendoza answered absolutely, and that those are very good questions. He added that his phone number and email contact are on there and they can contact him.

Director Murphy stated that he had some questions for his own clarification. He asked Captain Mendoza if he feels that the emails from Stacy Norbeck and Jeff Coulam are accurate as to your behavior at this training.

Captain Joe Mendoza stated that he could read both of their emails but as far as the instructor stating that he was disruptive and being argumentative with him, he would say no, that is not accurate. He added that he wouldn't believe anything or agree with anything that he says in his email. In regard to Stacy's remarks, in regards to him being late and calling POOL PACT, and saying that he was getting off shift and would be there shortly, that is all accurate.

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Director Murphy is asking Captain Mendoza if he was late to this because he was on a call, so you got delayed from the station to get to the training.

Captain Joe Mendoza, for the record, answered negative. Their last call was around 4 a.m. in the morning, he slept until 7 a.m. and did his normal station duties for their shift change. We washed the rigs, did report reviews from the night before or the day before from crews as their captain, and completed a report himself that morning. He cleaned the room and did a handoff report with the oncoming captain.

Director Murphy stated that Captain Mendoza's attendance isn't disputed but him showing up to this class on time, you were late to this class. Captain Mendoza answered, correct. Director Murphy also asked if it was the same amount of time that was mentioned in the letter, and Captain Mendoza answered yes, he would agree with that. Director Murphy added that to go from there we have that you were coached or written reprimanded regarding that, and he is asking if that is how he is understanding this.

Director Murphy explained to the directors that exhibit 4, April 20th overtime was an issue for this class, and it was discussed that Captain Mendoza was late to the class, which he doesn't deny. This was a mandatory class based on how he understands it and he stated that he is not sure how they understand it. He stated that he claimed that time and it's being disputed that he shouldn't have claimed that time. Director Murphy asked Captain Mendoza if when he left the station, he went straight to the training.

Captain Mendoza stated that he went straight, then he realized that he forgot his book and he turned around, went to his office on Cottonwood and 95 Alternate, and picked up the 3-ring binder because it had the weeks prior curriculum that they were adding to, on each session. He added that this class was a 4-part class, 2 full days one week and the following week was another 2 full days. He shared that he believed it was the following week, he had filed it with his schooling in his bookcase and took off in a rush. He passed by it, forgot he had it, and turned around at Tiger Field, came back, went to his office, picked his book up, and went off.

Director Murphy asked Captain Mendoza if from work to the training, if he had maybe a delay of 20 to 30 minutes, is that is reasonable to assume that distance in time of travel, and Captain Mendoza answered, correct. He also added that the overtime that he claimed because it's being brought up as a reprimandable subject, timecard fraud, which is a grievous offense, as we've learned over these past couple of decades in the fire service in Nevada especially. Director Murphy shared that to him, it seems like he went straight from work to class. He mentioned that you are not allowed to leave before the charting and reporting is done from his understanding of our policies. He stated that he could not cut out time to get out of here any sooner. He then asked Captain Mendoza if that was accurate to say and Captain Mendoza responded, correct.

Chairman McCassie just for the record, asked what time does shift end and Captain Mendoza responded that the shift ends at 8 a.m.

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Director Murphy asked if the class started at 9 a.m., and Captain Mendoza answered that he doesn't recall.

Chairman McCassie added that he believes it was 9 a.m.

Director Murphy asked where this class was held and Captain Mendoza answered, Carson City. He then asked Attorney Rebecca Bruch if that was about an hour drive and she responded, give or take, yes. Director Murphy stated that from his point of view and he asks this, and this was a discussion that we were going to have behind closed doors, but we are going to have it openly as Captain Mendoza requested. He stated that he thinks the best way to find an airtight case is to shoot holes in it ourselves to see if it sticks or holds water. That is why he is asking these questions, to see if it's defensible. He stated that if we can avoid lost money, service delays, and adding more to the plate that we've already quite filled up, he'd like to avoid some of these things. He added that to him it sounds like it shouldn't even be in here. He then asked Captain Mendoza if he's ever had an issue with timecard fraud related items in the past.

Captain Joe Mendoza, Fire Captain for the record, answered negative, if there is anything, there is time that doesn't get put down when I'm here doing district activities. For instance, he shared that he was allowed to put down the time to request mileage reimbursement, as well as meals, which he didn't because he was willing to take that for himself, considering the state of our district, financially. He stated that he didn't even go for the full amount of what was actually owed to him but in regard to having another issue with fluffing time, that is a no.

Director Murphy mentioned, per the Chief's letter that Captain Mendoza signed as receiving, he was allotted overtime for this class plus travel is what it says. Captain Mendoza answered, correct. Director Murphy added that he doesn't see why claiming that time is violating anything.

Captain Mendoza added that he has a correction to state. The letter that is in the board exhibit was never given to me in response to a verbal warning. He just recently found out that that was put in his file without even him knowing. That letter was a response to the second check or the second timecard, which he put it in the notes, and he stated that they will read it together. He shared in the notes section, that he didn't even know he was docked time until 2 weeks after, or about a week and a half after payroll was complete. When he realized his overtime was cut short, he went into Kasey's office and had a quick conversation with her to ask why his time was cut short. He then added that she stated that Chief said he was late, that POOL PACT gave them a call. He then explained to her what he had just explained to the district, getting off shift late, grabbing his book, and heading into Carson City. At that point Kasey Miller stated that she would talk to the chief and figure it out. He added that on the next time period when timecards were due, to remind her and refresh her memory. He put in the notes that he was shorted OT last pay period, please make it right. He stated that had been over a month now, from the time this already happened. When he made that note on that timecard, I was given an email with that letter attached. There was no coaching, no counseling, and there was essentially a threat of, you're not getting it because you were late and POOL PACT called

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him. Captain Mendoza stated that that was the first time he had seen that letter, he did not sign that letter and he did not know that that was going to be in his file as a negative note for evidence within his personnel file, which is a violation of the contract per our current CBA and he never signed it as you can tell in that letter.

Director Rodriguez stated that the employee time report says, pay period April 2nd to April 15th. The letter that the Board has regarding the overtime is dated April 20th. He's asking that when he wrote the note, that you were shorted OT last pay period, please make write, was that dated, is this.....

Captain Mendoza stated that that letter is dated correctly because we are a week behind on payroll and the timeline matches up perfectly with that letter.

Director Murphy added that there is a week from the end of the pay period.
Director Rodriguez stated that he just wanted to get the time stamps clarified.

Director Murphy shared that they have an approval from the Fire Chief for your overtime and it was approved for education leave right here and he does not see timecard fraud. He stated that Captain Medoza gets off at 8 a.m. to a class that starts at 9 a.m. to a location that is an hour and ten minutes away, unless you've solved quantum entanglement, he doesn't see that being possible. He added that this to him is like grabbing straws for he's not sure what and this seems like something they could've discussed and been done with.

Chairman McCassie, for the record, Captain Mendoza showed up to class at 10:30 a.m., and he responded that he did not know, and he doesn't recall.

Director Murphy asked Captain Mendoza if there was an attendance to sign in of some kind and Captain Mendoza added that there was an attendance sheet, he did sign it, and he believes that Stacy's email states that he was there an hour and a half late. Captain Mendoza suggested that we want to go to her email to review it. Director Murphy mentioned that that is what she says that you were an hour and a half late to that training. Captain Mendoza added that all the time matches. Director Murphy asked, how do we validate, either way, it is word for word, but we know for a fact that you get off at 8 a.m., and you can't leave until certain things are done per policy. Even if he was to get out of here on the dot, he would still be late 10 minutes. Director Murphy stated that that is his issue with the timecard fraud, and he does not see timecard fraud as 1 of the 5 of us here. He stated that he thinks it is a weak case to even push in the first place. As far as the conducts going word for word, people are sending unsolicited letters in both directions. Director Murphy added that the way the email reads, it says it's the same day, Stacy emails Becki the same day of the class at 12:24 in the afternoon, on the day of you showing up late. He shared that that is a pretty quick turnaround. Joe was late an hour and a half to immediately pull the trigger on an email that Joe didn't show up. He stated that seems like a very fine trigger to him. Why that didn't come up later on or if it was brought up because of the possible behavioral issues that are stated in Jeff's letter, it's hard to say. Now we have conflicting records here of attendees of the class saying one thing and one of the people instructing the class saying another.

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Chairman McCassie confirmed that Director Callagy was still on the line.

Director Murphy stated that that seems really sudden and quick on that email turn around that Joe is late, especially with everything considered in the claims of retaliation, it certainly seems like our time frames are super tight. He added that in his years in this department, time frames have never been that tight. Not to say that that is the case, but we are government after all.

Director Callagy stated that if he remembers correctly when questioned last week when we proposed the question to Captain Mendoza, he confirmed that he didn't get there until 10:30 a.m., and Chairman McCassie answered, correct. Director Callagy added that he thinks what we are talking about here is the time Captain Mendoza showed up and the time he reported on his timecard and that the actions of behavior prior to that with the instructors has really nothing to do with the timecard proposal.

Director Murphy thinks that the behavioral complaint there triggered the email, which then looked at the time, the late time. Again, playing devil's advocate here, is that something that we're confident here that is going to be watertight.

Director Callagy stated that if you come in at 10:30 a.m., and you put down that you were there by 9 o'clock, that is pretty airtight.

Captain Mendoza asked Director Callagy where it was documented that he put down 9 a.m. and where is that evidence.

Director Callagy explained that the class was a 7-hour class, you were paid for lunch, plus an hour driving time, that is 9 hours. The additional hour and a half was getting there at 10:30 a.m.

Captain Mendoza stated that he gets shorted on overtime when my time is more than an hour.

Director Callagy added that he thinks we made the point here, that 9:00 a.m., 9:10 a.m., and 10:30 a.m., are not 9 a.m. or 9:10 a.m.

Director Murphy is asking Director Callagy if he would agree that an hour and a half would be illegitimate to claim.

Director Callagy stated that they got paid a drive time, plus the 7-hour class, plus lunch, that is 9 hours. He added that the other hour and a half doesn't have anything to do with driving time, he didn't show up until 10:30 a.m. If his shift was over at 8 a.m., he drove by his office on Cottonwood and then came back. He mentioned that that was the additional 10 minutes that he still didn't show up on time for.

Joe Mendoza for the record, is asking Director Callagy that his concern is putting down 10 minutes more.

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Director Callagy interrupted and added that it was not 10 minutes that it was an hour and a half Captain.

Captain Mendoza stated that on the timecard it shows 9 hours, 7 hours for a class that he completed 24 hours of, an hour lunch, and a half hour each way.

Director Callagy interrupted adding that he was paid for his lunch also and Captain Mendoza stated that that is an hour and 10 minutes, plus 7, is 8 hours and 10 minutes.

Director Callagy for the record, is asking Captain Mendoza what time he showed up, and he responded that he doesn't recall.

Attorney Rebecca Bruch interrupted and stated that they are speaking over top of each other, and it makes the record impossible to make it out.

Chairman McCassie stated that the question was, what time did he show up to class, and according to the email it says 10:30 a.m.

Director Callagy added that last week when questioned, Captain Mendoza did not deny he showed up an hour and a half late.

Director Murphy is asking Director Callagy that there is a discrepancy that he would agree of an hour and a half, that he shouldn't be getting paid for and shouldn't have claimed, and he responded, absolutely, correct. Director Murphy then asked Captain Mendoza if he had anything else on that subject.

Director Rodriguez stated that he thought that the last thing we were checking was the sign-in sheet and he is asking if we have a copy of that. Captain Mendoza responded that he does not have a copy. Captain Mendoza then stated that all the evidence that they have was presented to you from whoever gave it to you.

Director Murphy added that he wants to dive into exhibits 2 and 3, which are the 2 evaluations and a couple of irregularities that he is looking for clarification on and a comment that he is observing. He stated that the comment is that we have a 6-month evaluation and a 1-year evaluation of exceeds standards, and at 1 year he should have come off probation and that was on 6/22/23 when Captain Mendoza signed it. Going in line with the ongoing claims and it is all connected, the retaliation and everything going on, he asked Captain Mendoza when the letter was submitted by the Union to open negotiations.

Captain Mendoza stated that the letter to be submitted to open negotiations was January 31st when the verbal assault took place.

Director Murphy is asking Captain Mendoza when he submitted his complaint against the district, about that issue.

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Captain Mendoza stated that that issue was immediately submitted to his attorney, and he believes that was his first day of shift. He added that the morning of February 2nd is when his attorney contacted the district in regard to his complaint.

Director Murphy added that from his own personal experience, it seems like we've had this ongoing from that time forward of the labor management breakdown and a tenuous environment around the station from what he's gathered from our meetings. He stated to the directors that he is looking at the time frame. It is so close, and it can easily be constrained as retaliation, it is just a thought to put out there for them. He added that he doesn't want to let things slide that shouldn't slide, especially things as egregious as timecard fraud, or even if it's not meant to be so, it is an important thing to look at but, this is all happening in a certain time frame that makes them look not great, not to let things slip though, and make that point.

Director Callagy shared that he thinks that we are veering off with the timecard issue, it is not what was agendad and he thinks we need to get back on target.

Director Murphy added that they are going through all of the exhibits, and they can go back to that if he'd like.

Chairman McCassie added that he doesn't think there is any question on the timecard.

Director Murphy shared that he agrees that there is a question over an hour and a half of claimed overtime that possibly shouldn't have been claimed. He stated that he agrees with Director Callagy.

Director Callagy stated that if that is what we are addressing, he doesn't know why we are going back to January for, and that it has nothing to do with the timecard issue, is his concern.

Director Murphy added that there are other issues that we should be looking at if we are looking at this as a whole.

Director Callagy stated that that is not what we are looking at right now, we are looking at the timecard issue and Director Murphy responded, okay.

Director Murphy asked Director Callagy what else he would like to say on the timecard issue.

Director Callagy thinks that what is said is said and he thinks they need to go forward with a motion.

Director Murphy added that there are other things that he would like to discuss, and we are not going to stop discussion because we want to rush to a motion. Moving on to evaluations, he stated that Captain Mendoza's 6-month evaluation, he was promoted and per his evaluation, your hire date, your position date as captain was 7/1 but his hire date was 7/13/22. He asked him if that is correct, and he responded that that is correct. Director Murphy stated that his 6-month evaluation should have ended 12/31/22. Exceeds standards, great work and he added

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that this was signed in June. He stated that Captain Mendoza signed 11 months in the year probation for a 6-month evaluation. He added that on the same day per the dates on the evaluations, we did a 1-year at the same time. He is asking Captain Mendoza if that sounds right to him, and if he signed both of them at the same time.

Captain Mendoza, for the record, stated that he did sign both of them at the same time but there was an incident 6 months prior to even seeing the 6-month evaluation and a 12-month evaluation. He added that around the 6-month mark, he knew we were supposed to be getting some type of feedback, and as a fresh captain he wanted to know how he was doing, how can he correct himself, how can he do better and what he was doing wrong. He stated that he did sit with Chief Nicholl in his office and asked him for that feedback. He added that it was a very brief comment, which he stated, you're doing good, pay attention to your crew and keep up the good work. It was never documented but he stated that he tried to solicit an actual 6-month evaluation, which wasn't complete. Captain Mendoza shared that he was okay with that, he was told by Chief Nicholl that he was doing good, keep up the good work and pay attention to his crew. He added that those were the words that he left through that outside door. He also added that he did not see a 6-month evaluation until his 12-month was done, and that was after he was moved from the supervision of the chief and then placed into the supervision of the district of the Board of Directors. He stated that he signed both evaluations, on the same day with Battalion Chief Myers.

Jay Rodrigues, Director for the record stated to Captain Mendoza that he said he solicit for review, he is asking if that was verbal or if he was able to email to request that.

Captain Mendoza shared that it wasn't via email, it was him passing by and normally they used to have a relationship where he could address the chief with, hey what's up, how are you doing. He stated that there was a great relationship there at one point. Captain Mendoza added that he sat him down in his office, and he took a seat in his office. He stated that he asked him that he was halfway through the probationary period, and he asked what he could correct and what is he doing good. At that moment, Chief Nicholl commented that he needed to go, he stated that he thought he was going to City Council. He advised him to pay attention to his crew, keep doing what you're doing, you are doing a good job. Captain Mendoza stated that that was his official 6-month evaluation from the district. He mentioned that this one was brought up after everything came up and, in his opinion, he wanted to prove that they were actually following policy. He added that he'd like to make note that this is the first 6-month evaluation anybody has heard of in here and even though it in the policy, it has never been followed. He added that we can go back in everyone's files and see if that is true. Captain Mendoza added that even the 6-month evaluation was an attempt of retaliation in his opinion.

Director Rodriguez, for the record, is asking if that would be a question that they would be able to ask our HR to validate, and Captain Mendoza stated that it is all personnel file information.

Attorney Rebecca Bruch stated that it is personnel file information but if what is being discussed is just to look at the files and determine whether anyone else was given a 6-month evaluation,

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that is not going to require a disclosure of anyone's name. It would just be doing an audit of the files to make that determination.

Chairman McCassie stated that there is a conflict in Captain Mendoza's evaluation and the note that he made, not note administrative action or discipline. He then stated that they have a letter from Battalion Chief Myers, who did his evaluation. It basically states that there had been an issue that you were given a written or verbal, and Director Murphy shared that it says coaching counseling session. Chairman McCassie then added that he was confused as to why he would write that knowing that there had been a situation.

Captain Mendoza stated that the situation that Chairman McCassie is bringing up is the Cottonwood situation, which he added was part of the board's investigation that they have on his hostile work environment investigation. That was brought up because the chief went out to solicit a statement months after that incident which he has documentation upon documentation. Captain Mendoza stated that he would hold onto that so that he could use that in his legal action against the district. He added that his investigation was closed, and Attorney Rebecca Bruch can attest to that because the investigator reached out to her and asked if he should reopen the investigation because of the ongoing harassment. The investigation was reopened, and he stated that they should know about that if they actually read the investigation and there was nothing said about that incident whatsoever because this is something that was being doctored up. The moment we had a debrief on that incident they told him that the principal was upset, and he thought they were actually joking with him when they casually brought it up in the bays. Captain Mendoza stated that there is falsification documentation on the district's behalf, on trying to document that months later. He shared that he has all that proof, and we can go down that road if we want to continue.

Director Murphy stated that the high-altitude view on that is that we have 2 evaluations that are fantastic and all of a sudden this all happens. He added that seems odd to him and is definitely quacking like a duck. He then asked Captain Mendoza to elaborate more, and he mentioned that he had a letter and he believed that he had indicated that it was this letter regarding the timecard issue that the Fire Chief had signed. He is asking him if he was aware of that letter and if that is what he was saying.

Captain Mendoza explained that the letter that has the 2-hole punch on the top, dated April 20, 2023.

Director Murphy then asked him if he stated that he had never received that, and Captain Mendoza responded that he received it in an email and that was it. He then asked if it was in his file.

Captain Mendoza explained that he did a personnel audit for himself with another captain and that was in the last few weeks. The district has it documented, and he shared that he was shocked to actually find it in his file because this violates our CBA and policy. He added, to note that he hasn't filed a grievance for that one either, so their grievances aren't just being thrown out there. He added that this is a violation of the contract, this was put in his file, and this letter

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was sent to him in response to the note on his timecard, stating please fix overtime. He shared that this is what he received from the chief, he never got sat down in an office, he never got coached or counseled over this, he was never told that this was going to be his verbal, he never signed this as a verbal, and he never signed this knowing that it was going into his file. He thought this was his way of giving him a memo, essentially. He added that he never knew that this was disciplinary and at the time he stopped because of everything that had been going on since January 31st. Captain Mendoza stated that he was actually exhausted and the more time he put in there to try to get an hour and a half of overtime was not worth it for him, and that is why he did not pursue it.

Director Murphy stated that that is all he has.

Chairman McCassie asked if anyone had any more questions or comments.

Director Wheeler, motion to the chair, moves to terminate Joe Mendoza based on the policy violation effective immediately, and for the Board of Directors to issue a termination to Mr. Mendoza to the District Board Chairman to include the banning from the specific property without the consent of the Board of Directors or District Fire Chief for the term of 1 year. Director Callagy seconded the motion.

Director Murphy added that we can discuss it after the second. He mentioned that not long ago we had another employee of the district, who we are not going to name, and we are not going to name specifics. This person had 2 open complaints for a hostile work environment and other hostile actions cursing at employees and they got off with a hand slap, a verbal and that was it. Director Murphy stated that now we want to terminate an exemplary employee on paper for a timecard infraction that wasn't discussed beyond what we see here, and other things that came up after the fact. He mentioned that he is not an attorney, and he is not a judge, but we are going to lose this if we do this. He stated that we are going to lose money, we are going to waste taxpayer money, and we are wasting our own time if we terminate Joe Mendoza. He explained that the timecard fraud is egregious and that needs to be discussed. He added that specifically for that, that he thinks there should be a verbal at a minimum for that. The rest of it is hearsay and we only have one person saying this happened from POOL PACTS side, and you got 1 letter in opposition to it. He shared that that is hearsay as far as he is concerned. He added that if they terminate Joe Mendoza, we are making a massive mistake, and this will hang over all of their heads until it is over. Regardless, if we move out of state this month, or the end of this year, it will follow us.

Chairman McCassie stated, dually noted from Director Murphy.

Director Rodriguez added that he agrees to Director Murphy's

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Chairman McCassie stated that he has a motion and a second, all in favor.

The motion carries as follows: 3-2-0

McCassie	Aye	Murphy	Nay
Callagy	Aye	Rodriguez	Nay
Wheeler	Aye		

Chairman McCassie stated that he has Director Wheeler that made the motion, aye, Director McCassie made an aye, Director Callagy made an aye, Director Rodriguez made a nay, and Director Murphy said, nay, with 3 to 2.

Chairman McCassie explained that with that said.....

Captain Mendoza asked if he could get a copy of the motion that he has written out please.

Chairman McCassie responded, absolutely. He also asked Attorney Rebecca Bruch, where they go from here.

Attorney Rebecca Bruch stated that the situation they find ourselves in with open meeting requirements. The Board has 5 days to issue an order but because of the notice requirements, she would suggest that a written order be provided tonight so that all of the Board can sign it. She stated that all the Board members need to sign so that can be provided to Captain Mendoza so that his appeal rights can be protected. She added that she would suggest that if you can write the order, that it can reflect that a motion was made. It sounds like Director Wheeler passed that motion so that can be attached and then all the board members can sign.

Captain Mendoza asked what Director Wheeler was scratching out on the motion.

Director Wheeler then asked if he would like to see it and Captain Mendoza answered, absolutely.

Chairman McCassie suggested having a 15-minute recess and Attorney Rebecca Bruch stated that that would give them 15 minutes to write the order and then we can go back into open. Everybody then can review it. She added that there needs to be a way on the written order to indicate who voted aye, and who voted nay.

Chairman McCassie then asked if he should have Kasey fill it out the form and they sign it or should we the POOL PACT attorney do that.

Attorney Rebecca Bruch stated that she thinks that it is appropriate for him to do that. She mentioned that he could request Kasey to do it if he'd like, and Chairman McCassie stated so that way it is clear.

Mrs. Kasey stated that she doesn't understand the motion and it was written and read by the board and she thinks they should do it.

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Chairman McCassie added that as soon as Joe brings it back, they will write the vote down.

Mrs. Kasey Miller added that she needs a copy for the board packet, please.

Chairman McCassie asked the directors for the correct spelling of their last names.

Attorney Rebecca Bruch stated that she would request to adjourn, that there is no reason for everybody to sit and listen when we are talking about administrative matters right now so that she can make sure the paperwork is in order.

Chairman McCassie called for a recess at 1901.
Chairman McCassie resumed the meeting at 1911.

Chairman McCassie addressed Director Wheeler.

Director Wheeler stated that he would like to reiterate his motion, he moves to terminate the employment of Joe Mendoza based on his egregious policy violations effective immediately, and for the board of Directors to issue a notice of termination to Mr. Mendoza through the District Board Chairman, to include a banning from the district property without the consent of the Board of Directors or the District Chief for the term of 1 year. With clarification of the violation being 12.1.1.2 - falsification of making material emission on forms, records, or reports, including applications, timecards, and other district records.

Chairman McCassie asked if he has a second.

Director Callagy seconded the motion.

Director Murphy asked Director Wheeler to amend his motion to not include termination but to make this a verbal reprimand with proceeding coaching as well. It would be the more appropriate course of action before we walk this district into yet another lawsuit.

Director Wheeler stated that his motion will stay.

Chairman McCassie added that the motion stands, and we have a second, all in favor. He then asked if there were any nays. Director Rodrigues answered, nay, and Director Paul Murphy stated, nay.

The motion reads as follows:3-2-0

McCassie	Aye	Murphy	Nay
Callagy	Aye	Rodriguez	Nay
Wheeler	Aye		

Attorney Rebecca Bruch added that she doesn't believe that he needs to stay in open session for us to prepare the written order, but she would request that they all stay so that we can get

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that finalized tonight and then it can be emailed to Director Callagy to get it signed. It can be issued to Captain Mendoza as soon as everyone has signed it.

Chairman McCassie stated that with that said, we will move on to #7.

7. Discussion and possible action to revise or transfer supervision of Captain Mendoza and Captain John Criscione to an alternate designated supervisor*

Chairman McCassie stated that he does not believe in this. We are as a board in charge of discipline, and he believes that the day-to-day operations are still in the Chief's hands. With that said, can have a motion and then we can..... He added that it is hard to have an operation if you keep taking away responsibility, but the Board is already in charge of supervision. He is asking if they agree on that. Director Murphy responded that he does agree with him, and before we had discussed components of this in prior meetings. He shared that nothing is meant to handicap the chief's ability to run this department, that is what we appointed him to do and if he is just in what he is doing, there should be no extra levels or insulation for any of this. He added that he just does what's right and we come to the right conclusions. He stated that he does agree, and they don't need this.

Chairman McCassie stated that we should probably just pull this from the agenda, and Director Murphy added that we should come to the right conclusions in the first place.

Attorney Rebecca Bruch would like to clarify because she is confused. She is asking if they are saying that you do not want to any longer be the supervisor of Captain Mendoza or Captain Criscione, that you are transferring that supervision either back to Chief Nicholl or to someone else.

Chairman McCassie mentioned that he thinks that is where the confusion is, we've never had supervision, but we had discipline.

Attorney Rebecca Bruch answered, to clarify, yes and that it was clear before that the day-to-day supervision was not in the hands of the Board. She is asking if he is saying if the motion is to maintain as the board, the discipline of Captain Mendoza and Captain Criscione. She asked that the change that was made at the June 15th meeting will stand, is that what you are saying, and Chairman McCassie answered, that is correct.

Chairman McCassie added that we will agree to just pull it because it doesn't have any bearing at this time.

8. 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.)

An unidentified public citizen commented, I think you are making a grandiose error, your punishing somebody who came before you with a small discrepancy. There is obvious tension

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between the commander and him, the Fire Chief. Everything else in his record is nearly perfect, you don't have anything else except an hour and a half, which he's shown you the reason why it existed in the records. He stated that he tried to come to you when there was a discrepancy and solve it, but you didn't do anything to solve it, you put false records in his personal file and now you're going to dismiss them. He added that he is pissed because it is going to end up costing the state money, a lot of money. Congratulations.

Chairman McCassie thanked him for his comment.

My name is Katie Mendoza, for the record.

"First, I find it ironic that the board, who was responsible for conducting a hostile work environment investigation and making a decision on someone's future with the department, has members of the board that cuss at citizens during a public forum in an aggressive manner.

Second, I would like to make a comment based on the board's decision to terminate Captain Mendoza. On Thursday, June 15, 2023, you the board "voted and approved the transfer of Captain Mendoza's supervision to the Board related to the discipline and performance issues for at least a period of 6 months." With that I would like to point out that only 2 of 5 members of the board have fire experience. With that, more than 60% of the board lack the professional competency to properly evaluate Captain Mendoza. Also, those that do have the professional competency to properly evaluate Captain Mendoza have yet to accompany him on a 48-hour set to see how he performs his duties and responsibilities as a captain for North Lyon Fire. During the Board Meeting on Thursday, July 20th, many of the board members claimed that they volunteer their time to run this board efficiently and effectively like a business. However, I would like to know which of the business owners of the board would allow someone without professional experience within your industry to assess your performance. You wouldn't. Since Becki Bruch, attorney for the department, mentioned numerous times in the board meeting August 10th that the board is to act as the chief to evaluate Captain Mendoza's performance, how can a board, who by the standards outlined in a North Lyon Fire Protection District employee performance evaluation would earn a score of 78/195, which classifies as needs improvement. How can a board who needs improvement by department standards properly evaluate a Fire Captain who exceeds standards? That would be like a new cashier evaluating the business owner. That cashier has no experience in the business dealings of the business owner like most of the board has no knowledge or understanding of what it takes to be a firefighter. It is unfortunate that people who lack professional competency just terminated a man who has poured more than a decade of his life into this department and this community. You are not a people first department you are a person first department. What a shame."

Chairman McCassie thanked her for her comment.

Erica Volentine, for the record, I myself experienced a hostile, it was just an aggressive and hostile environment when I was here yesterday, I observed the chief and Callagy speaking about Joseph's case, and I decided to record it. I was invited to come forward and record more

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of it and then cussed at because I was invited to record. So personally, myself have just because of being there in support of Joseph have felt the hostile, aggressive and just for no reason I was cursed at 3 times, and if it wasn't for Mrs. Kasey getting in the way, I don't know what he would have done because he was aggressive, that's all I got to say.

Chairman McCassie thanked her for her comment.

Chairman McCassie asked if we have anybody online and Stephen Emery responded that 2 people are online and they are still muted.

Director Murphy added that before we adjourn, he knows that we don't have director reports, but he would like to comment if that is acceptable to the board.

First, he wanted to apologize for not being at the last 2 meetings, not being here. He explained that he has a new job, and he doesn't have flexibility with his schedule up until next month and that should not be an issue going forward and he apologized. He stated that one thing that struck him as disconcerting was this last meeting as he understands it. We approved the hiring of an Assistant Fire Chief, he is asking if that is correct.

Director Wheeler stated no that they approved to go out and recruit through Western Fire Chiefs only.

Director Murphy asked if we are going to spend money for that process to recruit.

Director Wheeler answered, no sir and Director Murphy asked if it was a free service that they provide.

Director Wheeler explained that they provide it until an individual is hired, whomever that may be. One year later, they will take funding.

Director Murphy is asking if there are plans to fill the vacancies of fire medics in this department because we just went to the taxpayers not long ago after a decade of at least asking for more money and we are not filling vacancies in our staffing. He stated that they've already gone back on the promise that they made in that last election cycle. He added that they gave us 5 more cents of their assessed evaluation per \$100.00.

Chairman McCassie stated that he can make an agenda item so we can have that discussion.

Director Murphy stated that it will happen eventually. He added that he just wanted to throw that out there, and he was a little disgusted to hear that, but he wasn't here to make that known and that is his own fault.

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9. Adjournment*

Chairman McCassie adjourned at 1924.

**NOTE(s): All items indicated by an asterisk (“*”) were Action Items.
A complete and detailed record of this meeting was recorded on Micro SD
Recorder August 17, 2023**

Respectfully Submitted by:

Shannon Moffett, Administrative Assistant
North Lyon County Fire Protection District

September 28, 2023
Date

Approval of July 20, 2023 Minutes

North Lyon County Fire Protection District
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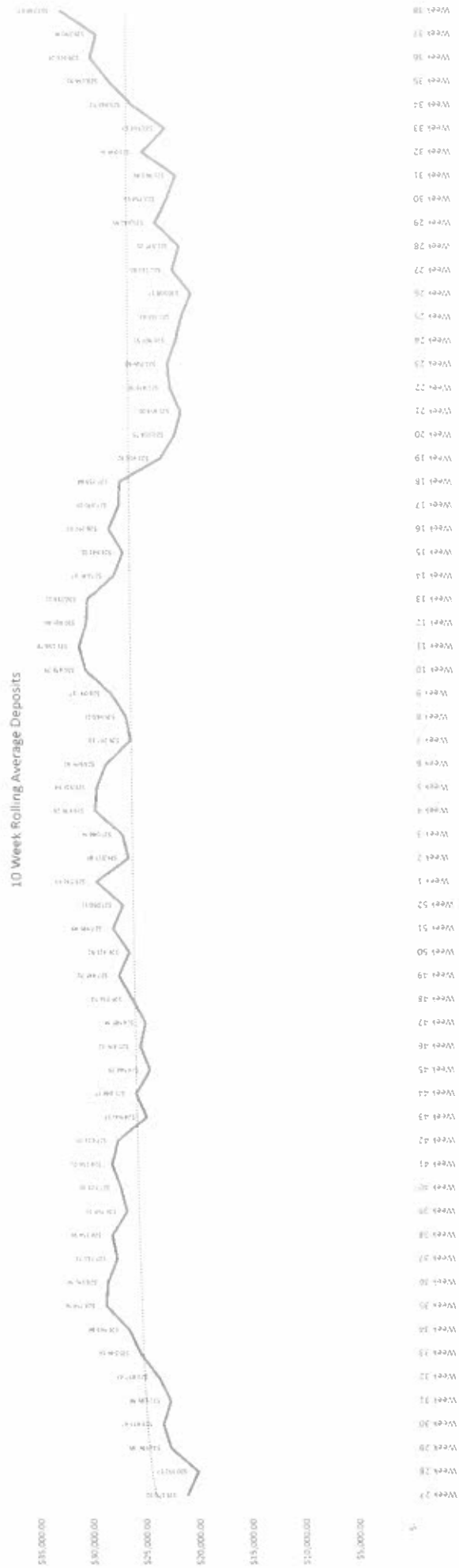
	<u>For</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>	
<u> </u> Approved as Read	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u> Approved with Corrections	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

Dan McCassie, Chairman
North Lyon County Fire Protection District

September 28, 2023
Date

DRAFT

10 Week Rolling Average Deposits



NFPA - Major Fires - Top 3 Property Loss Fires
 Top 10 Records Of 21 Displayed

Incident Date Time	Incident Number	Arson Property Ownership	Property Use	Address	Civilian Deaths	Property Loss
04/30/2023 01:49:23	231183		Highway or divided highway	IR80W 43 MM WADSWORTH, NV 89442	1	\$560,000
07/13/2023 22:58:16	231922		Outside or special property, other	IR80 53MM FERNLEY, NV 89408	0	\$350,000
04/29/2023 10:33:04	231171		Restaurant or cafeteria	110 MAIN FERNLEY, NV 89408	0	\$250,000
02/21/2023 15:19:43	230536		Residential, other	226 EMIGRANT FERNLEY, NV 89408	0	\$50,000
03/15/2023 17:35:29	230741		Highway or divided highway	IR80 W / PAINTED ROCK WADSWORTH, NV 89442	0	\$50,000
03/26/2023 08:28:07	230841		Street or road in commercial area	HILL RANCH RD & STATE ROUTE 427 WADSWORTH, NV 89442	0	\$50,000
05/11/2023 02:02:13	231271.1		Residential, other	306 LARIAT FERNLEY, NV 89408	0	\$50,000
06/02/2023 22:27:44	231510		Multifamily dwelling	540 SUNNY LN # B FERNLEY, NV 89408	0	\$50,000
07/15/2023 11:09:08	231941	1 - Private	Residential, other	320 ASPEN FERNLEY, NV 89408	1	\$50,000
06/21/2023 00:33:07	231703		Street or road in commercial area	1891 DUFFY FERNLEY, NV 89408	0	\$30,000

NFPA - Breakdown of Structure Fires and Other Fires and Incidents
 Top 10 Records Of 18 Displayed

Basic Incident NFPA Type	Number of Fires	Number of Civilian Fire Deaths	Number of Civilian Fire Injuries	Estimated Property Damage and Contents From Fire (in Dollars)
*NA	4	0	0	
01. Private Dwellings (1 or 2 family), including mobile homes (FPU 419)	8	0	0	\$26,040
02. Apartments (3 or more families) (FPU 429)	1	0	0	\$60,000
04. All Other Residential (dormitories, boarding houses, tents, etc.) (FPU 400, 439, 459-499)	8	1	0	\$194,500
06. Public Assembly (church, restaurant, clubs, etc.) (FPU 100-199)	4	0	0	\$377,500
09. Stores and Offices (FPU 500-599)	1	0	0	
10. Industry, Utility, Defense, Laboratories, Manufacturing (FPU 600-799)	1	0	0	
11. Storage in Structures (barns, vehicle storage garages, general storage, etc.) (FPU 800-899)	1	0	0	
14a. Fires in Highway Vehicles (autos, trucks, buses, etc.) (IT 131-132, 136-137)	10	1	0	\$1,364,500
15. Fires outside of Structures with Value Involved, but Not Vehicles (outside storage, crops, timber, etc.) (IT 140,141,161-162,164,170-173)	7	0	0	

NFPA - 5. Total Residential Fires (Sum 1- 4 above)

Fires in Structures By Fixed Property Use (Occupancy)	Number of Fires	Number of Civilian Fire Deaths	Number of Civilian Fire Injuries	Estimated Property Damage and Contents from Fire
5. TOTAL RESIDENTIAL FIRES (Sum of lines 1 through 4)	17	1	0	\$280,540

NFPA - 13. Totals For Structure Fires (Sum 5 - 12 above)

Fires in Structures By Fixed Property Use (Occupancy)	Number of Fires	Number of Civilian Fire Deaths	Number of Civilian Fire Injuries	Estimated Property Damage and Contents from Fire
13. TOTALS FOR STRUCTURE FIRES (Sum of lines 5 through 12)	24	1	0	\$658,040

NFPA - 19. Total For Fires (Sum 13 -18 above)

Fires in Structures By Fixed Property Use (Occupancy)	Number of Fires	Number of Civilian Fire Deaths	Number of Civilian Fire Injuries	Estimated Property Damage and Contents from Fire
19. TOTALS FOR FIRES (Sum of lines 13 through 18)	67	2	0	\$2,077,540

NFPA - 25. Total For All Incidents (Sum 19 - 24 above)

Fires In Structures By Fixed Property Use (Occupancy)	Number of Fires	Number of Civillian Fire Deaths	Number of Civillian Fire Injuries	Estimated Property Damage and Contents from Fire
25. TOTAL FOR ALL INCIDENTS (Sum of lines 19 through 24)	2,635	2	0	\$2,138,540

NFPA - Breakdown of False Alarm Responses

Basic Incident NFPA False Alarm Type	Number of Incidents
02. System Malfunction (IT 730–739)	11
03. Unintentional (tripping on interior device accidentally, etc.) (IT 740–749)	10
04. Other False Alarms (bomb scares, etc.) (IT 721, 700)	175

NFPA - Fire Service Exposure and injuries - Totals

Total Firefighters Exposed To Infectious Diseases	Total Firefighters Exposed to Hazardous Conditions	Total Firefighters with non-fatal Injuries
0	0	1

Report Filters

Basic Incident Date Time: is between '01/01/2023' and 'Today'
 Agency Name: is in 'North Lyon County Fire Protection District'

Runs by Response Disposition

Disposition Incident Patient Disposition (eDisposition.12)	Number of Runs	Percent of Total Runs
Patient Treated, Transported	1,165	59.68%
AMA - Patient Evaluated/Treated - No transport	357	18.29%
Patient refuse care	190	9.73%
Patient Evaluated/Treated - No transport	164	8.40%
Canceled (After Arrival At Scene)	41	2.10%
Patient Treated, Transferred Care to Another EMS Unit	20	1.02%
Canceled (Prior to Arrival At Scene)	11	0.56%
	2	0.10%
IFT - Patient Transported	1	0.05%
Standby-No Services or Support Provided	1	0.05%
Total:	1,952	Total: 100.00%

Runs by Zone - District

Scene Incident Zone	Number of Runs	Percent of Total Runs
61	891	45.65%
62	601	30.79%
63	414	21.21%
Pyramid	25	1.28%
Central	11	0.56%
Storey	5	0.26%
Fallon/Churchill	3	0.15%
Truckee	2	0.10%
Total:	1,952	Total: 100.00%

Runs by Time and Day of Call

Incident Day Name	Incident Three Hour Range Of Day 24	Number of Runs	Percent of Total Runs
Sunday	00:00:00 - 02:59:59	18	0.92%
	03:00:00 - 05:59:59	22	1.13%
	06:00:00 - 08:59:59	29	1.49%
	09:00:00 - 11:59:59	36	1.84%
	12:00:00 - 14:59:59	40	2.05%
	15:00:00 - 17:59:59	46	2.36%
	18:00:00 - 20:59:59	44	2.25%
	21:00:00 - 23:59:59	26	1.33%
Monday	00:00:00 - 02:59:59	12	0.61%
	03:00:00 - 05:59:59	19	0.97%
	06:00:00 - 08:59:59	33	1.69%
	09:00:00 - 11:59:59	57	2.92%
	12:00:00 - 14:59:59	45	2.31%
	15:00:00 - 17:59:59	41	2.10%
	18:00:00 - 20:59:59	47	2.41%
	21:00:00 - 23:59:59	43	2.20%
Tuesday	00:00:00 - 02:59:59	11	0.56%
	03:00:00 - 05:59:59	6	0.31%
	06:00:00 - 08:59:59	22	1.13%
	09:00:00 - 11:59:59	42	2.15%
	12:00:00 - 14:59:59	67	3.43%
	15:00:00 - 17:59:59	44	2.25%
	18:00:00 - 20:59:59	62	3.18%
	21:00:00 - 23:59:59	38	1.95%
Wednesday	00:00:00 - 02:59:59	20	1.02%
	03:00:00 - 05:59:59	17	0.87%
	06:00:00 - 08:59:59	25	1.28%
	09:00:00 - 11:59:59	47	2.41%

Incident Day Name	Incident Three Hour Range Of Day 24	Number Of Runs	Percent Of Total Runs
	12:00:00 - 14:59:59	43	2.20%
	15:00:00 - 17:59:59	44	2.25%
	18:00:00 - 20:59:59	41	2.10%
	21:00:00 - 23:59:59	17	0.87%
Thursday	00:00:00 - 02:59:59	17	0.87%
	03:00:00 - 05:59:59	16	0.82%
	06:00:00 - 08:59:59	35	1.79%
	09:00:00 - 11:59:59	38	1.95%
	12:00:00 - 14:59:59	49	2.51%
	15:00:00 - 17:59:59	45	2.31%
	18:00:00 - 20:59:59	51	2.61%
	21:00:00 - 23:59:59	31	1.59%
Friday	00:00:00 - 02:59:59	21	1.08%
	03:00:00 - 05:59:59	15	0.77%
	06:00:00 - 08:59:59	23	1.18%
	09:00:00 - 11:59:59	50	2.56%
	12:00:00 - 14:59:59	55	2.82%
	15:00:00 - 17:59:59	38	1.95%
	18:00:00 - 20:59:59	55	2.82%
	21:00:00 - 23:59:59	27	1.38%
Saturday	00:00:00 - 02:59:59	17	0.87%
	03:00:00 - 05:59:59	21	1.08%
	06:00:00 - 08:59:59	27	1.38%
	09:00:00 - 11:59:59	44	2.25%
	12:00:00 - 14:59:59	43	2.20%
	15:00:00 - 17:59:59	45	2.31%
	18:00:00 - 20:59:59	46	2.36%
	21:00:00 - 23:59:59	39	2.00%
		Total: 1,952	Total: 100.00%

Runs by Hour of Day

Incident Hour Range Of Day 24	Number of Runs	Percent of Total Runs
00:00:00 - 00:59:59	44	2.25%
01:00:00 - 01:59:59	37	1.90%
02:00:00 - 02:59:59	35	1.79%
03:00:00 - 03:59:59	33	1.69%
04:00:00 - 04:59:59	41	2.10%
05:00:00 - 05:59:59	42	2.15%
06:00:00 - 06:59:59	57	2.92%
07:00:00 - 07:59:59	69	3.53%
08:00:00 - 08:59:59	68	3.48%
09:00:00 - 09:59:59	91	4.66%
10:00:00 - 10:59:59	103	5.28%
11:00:00 - 11:59:59	120	6.15%
12:00:00 - 12:59:59	118	6.05%
13:00:00 - 13:59:59	101	5.17%
14:00:00 - 14:59:59	123	6.30%
15:00:00 - 15:59:59	106	5.43%
16:00:00 - 16:59:59	113	5.79%
17:00:00 - 17:59:59	84	4.30%
18:00:00 - 18:59:59	126	6.45%
19:00:00 - 19:59:59	134	6.86%
20:00:00 - 20:59:59	86	4.41%
21:00:00 - 21:59:59	99	5.07%
22:00:00 - 22:59:59	71	3.64%
23:00:00 - 23:59:59	51	2.61%
	Total: 1,952	Total: 100.00%

Runs by Day of Week

Incident Day Name	Number of Runs	Percent of Total Runs
Sunday	261	13.37%
Monday	297	15.22%
Tuesday	292	14.96%
Wednesday	254	13.01%
Thursday	282	14.45%
Friday	284	14.55%
Saturday	282	14.45%
	Total: 1,952	Total: 100.00%

Average Run Time Summary Report (In Minutes)

Avg Unit Notified to Enroute in Minutes	Avg Unit Enroute to Arrived at Scene	Avg Unit Arrived on Scene to Left Scene	Avg Unit Left Scene to Arrived at Dest	Avg Patient Arrived at Destination to Patient Transfer of Care	Avg Patient Arrived at Destination to Unit Back in Service	Number of Runs
2.64	4.99	19.02	37.69	8.50	63.96	1,952

En-route Time

Incident Unit Notified By Dispatch To Unit En Route Range In Minutes	Number of Runs	Percent of Total Runs
	90	4.61%
0 to <1	95	4.87%
1 to <2	694	35.55%
2 to <3	666	34.12%
3 to <4	236	12.09%
4 to 5	67	3.43%
> 5	104	5.33%
	Total: 1,952	Total: 100.00%

En-route Time

Incident Unit En Route To Unit Arrived On Scene Range In Minutes	Number of Runs	Percent of Total Runs
	104	5.33%
0 to <5	1,086	55.64%
5 to <10	675	34.58%
10 to 15	61	3.13%
> 15	26	1.33%
	Total: 1,952	Total: 100.00%

Scene Time

Top 10 Records Of 14 Displayed

Incident Unit Arrived On Scene To Unit Left Scene Range In Minutes	Number of Runs	Percent of Total Runs
	783	40.11%
0 to <5	15	0.77%
5 to <10	116	5.94%
10 to <15	278	14.24%
15 to <20	304	15.57%
20 to <25	215	11.01%
25 to <30	136	6.97%
30 to <35	57	2.92%
35 to <40	25	1.28%
40 to <45	10	0.51%
	Total: 1,939	Total: 99.33%

Transport Time

Incident Unit Left Scene To Patient Arrived At Destination Range In Minutes	Number of Runs	Percent of Total Runs
	782	40.06%
0 to <5	1	0.05%
10 to 15	1	0.05%
> 15	1,168	59.84%
	Total: 1,952	Total: 100.00%

Runs by Dispatch Reason

Incident Complaint Reported By Dispatch (eDispatch.01)	Number of Runs	Percent of Total Runs
Falls	189	9.68%
Breathing Problem	176	9.02%
Traffic/Transportation Incident	146	7.48%
Chest Pain (Non-Traumatic)	124	6.35%
Abdominal Pain/Problems	115	5.89%
No Other Appropriate Choice	85	4.35%
Pain	82	4.20%
Convulsions/Seizure	69	3.53%
Altered Mental Status	65	3.33%
Psychiatric Problem/Abnormal Behavior/Suicide Attempt	52	2.66%
Sick Person (weakness, etc.)	48	2.46%
Nausea/Vomiting	46	2.36%
Back Pain (Non-Traumatic)	44	2.25%
Traumatic Injury	42	2.15%
Weakness/Lethargic	41	2.10%
Stroke/CVA	37	1.90%
Syncope/near-fainting	37	1.90%
Diabetic Problem	35	1.79%
Unknown Problem/Person Down	34	1.74%
Cardiac Arrest/Death	32	1.64%
Dizziness	31	1.59%
Assault	29	1.49%
Anxiety Attack	28	1.43%
Overdose/Poisoning/Ingestion	28	1.43%
Lift Assist	25	1.28%
Hemorrhage/Laceration	23	1.18%
Hypotension / hypertension	23	1.18%
Alcohol intoxication	22	1.13%
Heart Problems/AICD	22	1.13%
Unconscious/Fainting/Near-Fainting	19	0.97%
Allergic Reaction/Stings	18	0.92%
Head Injury	13	0.67%
Epistaxis (Nosebleed)	12	0.61%
Fever	12	0.61%
Headache	12	0.61%
Pregnancy/Childbirth/Miscarriage	12	0.61%
Chronic Illness/Medical Condition	11	0.56%
Animal Bite	10	0.51%
Assist Police with a Citizen	10	0.51%
Cardiac Arrest - Possible DOA	8	0.41%
Choking	8	0.41%
Diarrhea	8	0.41%
Eye Problem/Injury	6	0.31%
Heat/Cold Exposure	6	0.31%
Alcohol Detox/Withdrawal	5	0.26%
Automated Crash Notification	5	0.26%
Cardiac dysrhythmia	5	0.26%
Dehydration	4	0.20%
Healthcare Professional/Admission	4	0.20%
Auto vs. Pedestrian	3	0.15%
Burns/Explosion	3	0.15%
Septic Shock	3	0.15%
Stab/Gunshot Wound/Penetrating Trauma	3	0.15%
Welfare Check	3	0.15%

Incident Complaint Reported by Dispatch (eDisposition.01)	Number of Runs	Percent of Total Runs
Well Person Check	3	0.15%
Gunshot	2	0.10%
Medical Alarm	2	0.10%
Pediatric Fever	2	0.10%
Stabbing	2	0.10%
Transfer/Interfacility	2	0.10%
	1	0.05%
Industrial Accident/Inaccessible Incident/Other Entrapments (Non-Vehicle)	1	0.05%
MCI (Multiple Casualty Incident)	1	0.05%
None	1	0.05%
Pandemic/Epidemic/Outbreak	1	0.05%
Respiratory Arrest	1	0.05%
	Total: 1,952	Total: 100.00%

Runs by Destination Name

Disposition Destination Name Delivered Transferred	Disposition Destination Code Delivered Transferred	Number of Runs	Percent of Total Runs
To (eDisposition.01)	To (eDisposition.02)		
		652	33.40%
Banner Churchill Community Hospital	90012	61	3.13%
Carson Tahoe Regional Medical Center	90011-1	7	0.36%
Northern Nevada Medical Center	90117	332	17.01%
Not Applicable		131	6.71%
Reno VA Medical Center	90099-7	26	1.33%
Renown Regional Medical Center	90134	649	33.25%
Renown South Meadows Medical Center	90135	4	0.20%
Sierra Northern	89521	27	1.38%
St. Mary's Regional Medical Center	90024	63	3.23%
		Total: 1,952	Total: 100.00%

Report Filters

Incident Date: is between '01/01/2023' and 'Today'

Agency Name (Dagency.03): is in 'North Lyon County Fire Protection District'

Management Analysis
Prepared for you by
National Business Factors, Inc.

Prepared for:
NORTH LYON COUNTY FPD
Client # NLFPD6250C

Period Ending: 08/31/23

Date	Assignments		Cancelled		Average	
	#	Amount	#	\$ Amount	Age	\$ Bal
Sep-22	4	10,980	-	-	335	2,745
Oct-22	19	52,004	-	-	339	2,737
Nov-22	2	5,068	-	-	344	2,534
Dec-22	-	-	-	-	-	-
Jan-23	51	126,135	-	-	299	2,473
Feb-23	5	15,174	1	36	321	3,035
Mar-23	21	63,850	-	-	346	3,040
Apr-23	-	-	-	-	-	-
May-23	33	88,904	-	-	243	2,694
Jun-23	-	-	-	-	-	-
Jul-23	23	67,260	-	-	432	2,924
Aug-23	36	100,117	1	678	332	2,781
Totals	194	\$ 529,493	2	\$ 714	332	\$ 2,774
Net Assignments this year	192	\$ 528,779				

One year ago this month 53 \$ 118,081

Contingent Fee Collections	
Date	
Sep-22	25
Oct-22	25
Nov-22	25
Dec-22	525
Jan-23	25
Feb-23	3,543
Mar-23	510
Apr-23	25
May-23	2,329
Jun-23	1,164
Jul-23	25
Aug-23	100
Totals	\$ 8,321

One year ago this month \$ 251

Total Open Inventory **\$ 1,235,462**

This Year's recovery % **3%**

Inception Date (01-16-12) Recovery % **2%**

NLCFPD
Statement of Revenues and Expenditures - Rev Exp VS Budget - Fire 2024 Percentage
From 7/1/2023 Through 6/30/2024

	Current Period Budget - 2023 2024 Original	Current Year Actual	Total Budget Variance - 2023 2024 Original	Percent Total Budget Remaining - 2023 2024 Original
REVENUES				
Taxes				
Ad Valorem Taxes	2,698,864.00	96,061.64	(2,602,802.36)	(96.44)%
Consolidated Taxes	243,167.00	19,858.12	(223,308.88)	(91.83)%
Total Taxes	2,942,031.00	115,919.76	(2,826,111.24)	(96.06)%
Other Revenue				
Mutual Aid	550,000.00	0.00	(550,000.00)	(100.00)%
Contracts	642,000.00	100,404.68	(541,595.32)	(84.36)%
Interlocal	16,000.00	0.00	(16,000.00)	(100.00)%
Grants	0.00	0.00	0.00	0.00%
Inspections	25,000.00	100.00	(24,900.00)	(99.60)%
Hazmat Permits	97,000.00	2,800.00	(94,200.00)	(97.11)%
Fire and Safety Reviews	160,000.00	26,190.00	(133,810.00)	(83.63)%
Operational Permits	20,000.00	150.00	(19,850.00)	(99.25)%
Cost Recovery	0.00	0.00	0.00	0.00%
Ambulance Fees	0.00	31,836.28	31,836.28	0.00%
GEMT Ambulance	0.00	0.00	0.00	0.00%
Ambulance Subscription	0.00	0.00	0.00	0.00%
Miscellaneous Revenue	35,000.00	18.00	(34,982.00)	(99.95)%
Other	0.00	0.00	0.00	0.00%
Total Other Revenue	1,545,000.00	161,498.96	(1,383,501.04)	(89.55)%
Total REVENUES	4,487,031.00	277,418.72	(4,209,612.28)	(93.82)%
EXPENDITURES				
Personnel Expenses				
Salaries and Wages	(1,475,440.00)	198,598.82	(1,674,038.82)	113.46%
Temporary Salaries	(79,272.00)	25,626.70	(104,898.70)	132.33%
Overtime	(348,500.00)	99,428.64	(447,928.64)	128.53%
Holiday	(100,456.00)	7,347.64	(107,803.64)	107.31%
Uniforms	(20,000.00)	2,879.50	(22,879.50)	114.40%
Employee Physicals	(26,000.00)	0.00	(26,000.00)	100.00%
PERS Retirement	(750,787.00)	97,401.86	(848,188.86)	112.97%
Employer Taxes and Fees	(19,250.00)	5,287.48	(24,537.48)	127.47%
Workers Comp	(109,325.00)	49,055.00	(158,380.00)	144.87%
Health Insurance	(342,362.00)	38,049.57	(380,411.57)	111.11%

NLCFPD
Statement of Revenues and Expenditures - Rev Exp VS Budget - Fire 2024 Percentage
From 7/1/2023 Through 6/30/2024

	Current Period Budget - 2023 2024 Original	Current Year Actual	Total Budget Variance - 2023 Original 2024	Percent Total Budget Remaining - 2023 2024 Original
Contract Obligations	(61,000.00)	0.00	(61,000.00)	100.00%
Cadets	(22,000.00)	(1,722.02)	(20,277.98)	92.17%
Total Personnel Expenses	(3,354,392.00)	521,953.19	(3,876,345.19)	115.56%
Office Operating Expenses				
Office Supplies and Postage	(13,000.00)	3,011.07	(16,011.07)	123.16%
Office Equipment & IT	(29,000.00)	2,382.17	(31,382.17)	108.21%
Books and Publications	(8,000.00)	0.00	(8,000.00)	100.00%
Fire Prevention Public Education	(3,000.00)	600.00	(3,600.00)	120.00%
Insurance	(75,000.00)	31,344.85	(106,344.85)	141.79%
Professional Fees	(91,000.00)	5,539.56	(96,539.56)	106.09%
Dues	(4,000.00)	93.00	(4,093.00)	102.33%
Travel	(2,500.00)	0.00	(2,500.00)	100.00%
Wildland Travel	(14,000.00)	24,373.00	(38,373.00)	274.09%
Other	0.00	0.00	0.00	0.00%
Total Office Operating Expenses	(239,500.00)	67,343.65	(306,843.65)	128.12%
Personnel Operating Expenses				
Training	(17,000.00)	0.00	(17,000.00)	100.00%
Recruitment and Retention	(9,500.00)	0.00	(9,500.00)	100.00%
Safety Equipment	(5,000.00)	0.00	(5,000.00)	100.00%
Turnouts	(23,000.00)	6,528.94	(29,528.94)	128.39%
Total Personnel Operating Expenses	(54,500.00)	6,528.94	(61,028.94)	111.98%
Vehicle Operating Expenses				
Heavy Apparatus	(25,000.00)	7,285.67	(32,285.67)	129.14%
Light Fleet	(5,000.00)	0.00	(5,000.00)	100.00%
Ambulance Fleet	0.00	0.00	0.00	0.00%
Wildland Fleet	(8,000.00)	0.00	(8,000.00)	100.00%
Misc and Other	(2,500.00)	0.00	(2,500.00)	100.00%
Vehicle Fuel	(179,500.00)	6,626.84	(186,126.84)	103.69%
Total Vehicle Operating Expenses	(220,000.00)	13,912.51	(233,912.51)	106.32%
Equipment Supplies Operating Expenses				
Medical Supplies	(2,000.00)	0.00	(2,000.00)	100.00%
Equipment Non Capital	(13,000.00)	918.00	(13,918.00)	107.06%
Communications	(25,500.00)	534.93	(26,034.93)	102.10%
Operating Supplies	(6,000.00)	470.44	(6,470.44)	107.84%

NILCFPD
Statement of Revenues and Expenditures - Rev Exp VS Budget - Fire 2024 Percentage
From 7/1/2023 Through 6/30/2024

	Current Period Budget - 2023 2024 Original	Current Year Actual	Total Budget Variance - 2023 Original 24	Percent Total Budget Remaining - 2023 Original
Small Equipment R & M	(13,000.00)	125.17	(13,125.17)	100.96%
Total Equipment Supplies Operating Expenses	(59,500.00)	2,048.54	(61,548.54)	103.44%
Station Operating Expenses				
Station Repair & Maintenance 61	(110,000.00)	5,792.18	(115,792.18)	105.27%
Station Repair & Maintenance 62	(8,000.00)	0.00	(8,000.00)	100.00%
Utilities 61	(15,000.00)	7,007.65	(22,007.65)	146.72%
Utilities 62	(13,000.00)	0.00	(13,000.00)	100.00%
Total Station Operating Expenses	(146,000.00)	12,799.83	(158,799.83)	108.77%
Other Non Operating Expenses				
Contingency	0.00	0.00	0.00	0.00%
Capital Outlay	(228,241.00)	20,000.00	(248,241.00)	108.76%
Depreciation	0.00	0.00	0.00	0.00%
Debt Payments	0.00	7,000.00	(7,000.00)	0.00%
Lease Payments	(185,759.00)	0.00	(185,759.00)	100.00%
Interfund Transfers	0.00	0.00	0.00	0.00%
Total Other Non Operating Expenses	(414,000.00)	27,000.00	(441,000.00)	106.52%
Total EXPENDITURES	(4,487,892.00)	651,586.66	(5,139,478.66)	114.52%
REVENUES IN EXCESS OF EXPENDITURES	8,974,923.00	(374,167.94)	(9,349,090.94)	(104.17)%

NLCFPD
Statement of Revenues and Expenditures - Rev Exp VS Budget - Ambulance 2024 Percentage
From 7/1/2023 Through 6/30/2024

	Current Period Budget - 2023 2024 Original	Current Year Actual	Total Budget 2023 2024 Variance - 2023 2024 Original	Percent Total Budget Remaining - 2023 2024 Original
REVENUES				
Taxes				
Ad Valorem Taxes	0.00	0.00	0.00	0.00%
Consolidated Taxes	0.00	0.00	0.00	0.00%
Total Taxes	0.00	0.00	0.00	0.00%
Other Revenue				
Mutual Aid	0.00	0.00	0.00	0.00%
Contracts	0.00	0.00	0.00	0.00%
Interlocal	0.00	0.00	0.00	0.00%
Grants	0.00	0.00	0.00	0.00%
Inspections	0.00	0.00	0.00	0.00%
Hazmat Permits	0.00	0.00	0.00	0.00%
Fire and Safety Reviews	0.00	0.00	0.00	0.00%
Operational Permits	12,000.00	0.00	(12,000.00)	(100.00)%
Cost Recovery	0.00	0.00	0.00	0.00%
Ambulance Fees	2,000,000.00	202,751.24	(1,797,248.76)	(89.86)%
GEMT Ambulance	520,000.00	0.00	(520,000.00)	(100.00)%
Ambulance Subscription	35,000.00	6,149.45	(28,850.55)	(82.43)%
Miscellaneous Revenue	5,000.00	0.00	(5,000.00)	(100.00)%
Total Other Revenue	2,572,000.00	208,900.69	(2,363,099.31)	(91.88)%
Total REVENUES	2,572,000.00	208,900.69	(2,363,099.31)	(91.88)%
EXPENDITURES				
Personnel Expenses				
Salaries and Wages	(1,067,420.00)	139,215.78	(1,206,635.78)	113.04%
Temporary Salaries	(156,600.00)	7,200.00	(163,800.00)	104.60%
Overtime	(150,000.00)	65,038.60	(215,038.60)	143.36%
Holiday	(52,785.00)	3,477.36	(56,262.36)	106.59%
Uniforms	(8,500.00)	4,731.88	(13,231.88)	155.67%
Employee Physicals	0.00	18,184.00	(18,184.00)	0.00%
PERS Retirement	(560,102.00)	97,401.86	(657,503.86)	117.39%
Employer Taxes and Fees	(15,000.00)	4,434.36	(19,434.36)	129.56%
Workers Comp	(93,375.00)	0.00	(93,375.00)	100.00%
Health Insurance	(175,337.00)	37,406.71	(212,743.71)	121.33%
Contract Obligations	0.00	0.00	0.00	0.00%

NLCFPD
Statement of Revenues and Expenditures - Rev Exp VS Budget - Ambulance 2024 Percentage
From 7/1/2023 Through 6/30/2024

	Current Period Budget - 2023 Original	Current Year Actual	Total Budget Variance - 2023 Original	Percent Total Budget Remaining - 2023 Original
Cadets	0.00	0.00	0.00	0.00%
Total Personnel Expenses	(2,279,119.00)	377,090.55	(2,656,209.55)	116.55%
Office Operating Expenses				
Office Supplies and Postage	0.00	743.68	(743.68)	0.00%
Office Equipment & IT	(1,000.00)	1,779.74	(2,779.74)	277.97%
Books and Publications	0.00	0.00	0.00	0.00%
Fire Prevention Public Education	0.00	0.00	0.00	0.00%
Insurance	(70,000.00)	31,344.86	(101,344.86)	144.78%
Professional Fees	0.00	526.90	(526.90)	0.00%
Dues	0.00	100.00	(100.00)	0.00%
Travel	0.00	0.00	0.00	0.00%
Wildland Travel	0.00	0.00	0.00	0.00%
Other	0.00	0.00	0.00	0.00%
Total Office Operating Expenses	(71,000.00)	34,495.18	(105,495.18)	148.58%
Personnel Operating Expenses				
Training	(7,000.00)	(8,946.67)	1,946.67	(27.81)%
Recruitment and Retention	0.00	0.00	0.00	0.00%
Safety Equipment	(3,500.00)	0.00	(3,500.00)	100.00%
Turnouts	(6,000.00)	0.00	(6,000.00)	100.00%
Total Personnel Operating Expenses	(16,500.00)	(8,946.67)	(7,553.33)	45.78%
Vehicle Operating Expenses				
Heavy Apparatus	0.00	0.00	0.00	0.00%
Light Fleet	0.00	0.00	0.00	0.00%
Ambulance Fleet	(12,000.00)	16,295.31	(28,295.31)	235.79%
Wildland Fleet	0.00	52.97	(52.97)	0.00%
Misc and Other	0.00	0.00	0.00	0.00%
Vehicle Fuel	0.00	5,096.24	(5,096.24)	0.00%
Total Vehicle Operating Expenses	(12,000.00)	21,444.52	(33,444.52)	278.70%
Equipment Supplies Operating Expenses				
Medical Supplies	(60,000.00)	13,973.27	(73,973.27)	123.29%
Equipment Non Capital	(2,000.00)	0.00	(2,000.00)	100.00%
Communications	(4,000.00)	0.00	(4,000.00)	100.00%
Operating Supplies	(2,000.00)	0.00	(2,000.00)	100.00%
Small Equipment R & M	(20,000.00)	3,201.00	(23,201.00)	116.00%

NILCFPD
Statement of Revenues and Expenditures - Rev Exp VS Budget - Ambulance 2024 Percentage
From 7/1/2023 Through 6/30/2024

	Current Period Budget - 2023 Original 2024	Current Year Actual	Total Budget Variance - 2023 Original 2024	Percent Total Budget Remaining - 2023 Original
Total Equipment Supplies Operating Expenses	(88,000.00)	17,174.22	(105,174.22)	119.52%
Station Operating Expenses				
Station Repair & Maintenance 61	(12,000.00)	0.00	(12,000.00)	100.00%
Station Repair & Maintenance 62	(4,000.00)	622.35	(4,622.35)	115.56%
Utilities 61	(7,000.00)	0.00	(7,000.00)	100.00%
Utilities 62	(5,000.00)	5,943.51	(10,943.51)	218.87%
Total Station Operating Expenses	(28,000.00)	6,565.86	(34,565.86)	123.45%
Other Non Operating Expenses				
Capital Outlay	0.00	85,011.00	(85,011.00)	0.00%
Depreciation	(121,000.00)	0.00	(121,000.00)	100.00%
Lease Payments	0.00	0.00	0.00	0.00%
Interfund Transfers	0.00	0.00	0.00	0.00%
Total Other Non Operating Expenses	(121,000.00)	85,011.00	(206,011.00)	170.26%
Total EXPENDITURES	(2,615,619.00)	532,834.71	(3,148,453.71)	120.37%
REVENUES IN EXCESS OF EXPENDITURES	5,187,619.00	(323,934.02)	(5,511,553.02)	(106.24)%



North Lyon County Fire Protection District
195 East Main Street
Fernley, Nevada 89408
District Office (775) 575-3310 District Fax (775) 575-3314
www.northlyonfire.com

Directors
Dan McCassie
Mike Callagy, Jr
Harry Wheeler
Paul Murphy
Jay Rodriguez

North Lyon Fire Board Meeting
Agenda Item Submittal

Item Language: (wording might be changed to fit agenda format)

1. Discussion and possible action to determine Mike Callagy Jr's actual residency and legitimacy as an elected official of the North Lyon County Fire Protection District's Board of Directors per NRS 281.050 and NRS 474.070.
2. Discussion and possible action to direct the Fire Chief to immediately fill the two (2) Firefighter/Paramedic vacancies.
3. Discussion and possible action to withdraw from the Assistant Fire Chief recruitment process with Western Fire Chief's Association.
4. Discussion and possible action on potential Open Meeting Law violations by the Board during the August 17th, 2023 meeting.

Purpose of Item: (what do you plan to accomplish with this item)

1. Establish the legitimacy of Mike Callagy Jr's position as a member of the Board of Directors.
2. Fill vacant Firefighter/Paramedic positions.
3. No longer pursue hiring an Assistant Fire Chief until we've returned to full strength in staffing.
4. Discuss possible OML violations perpetrated by the majority of the Board in an effort to rectify said violations and prevent further litigation against the District.

Is there any background material needed for the Board Action from Staff? YES X
NO _____

If YES, please describe materials and submit to staff 5 days prior to the scheduled meeting:

- Copy of the 2022 Election Ballot initiative to ask the taxpayers for a voter-approved tax increase towards NLCFPD, with for and against questions.
- Current staffing model, delineated by shifts, including vacancies.
- Copy of the Mendoza termination motion script that Harry Wheeler was given to read at the August 17th meeting.

PEOPLE FIRST

North Lyon County Fire Protection District is an Equal Opportunity Employer

- **Meeting Date Requested:** September 14th, 2023
Name of Submitter: Paul Murphy
Contact Number: 775-230-4729

Agenda Items must be submitted to Staff at least 2 (two) working days prior to posting the agenda.

Agenda Item Material must be submitted to Staff 5 (five) working days prior to the scheduled meeting.



Lyon County School District

EMT Program

Memorandum of Understanding

This Memorandum of Understanding (the "MOU" or "Memorandum"), is entered into on September 1, 2023 (the "Effective Date"), by and between Fernley High School (FHS) located at 1300 US-95 ALT, Fernley, Nevada 89408, and North Lyon County Fire Protection District (NLCF) located at 195 E Main St., Fernley, Nevada 89408. The following are the terms and conditions:

1. **Mission**

The partnership on which the Parties have the following mission:

To provide a safe and effective learning experience for high school students and to allow students the opportunity to acquire an Emergency Medical Technician Certification.

2. **Purpose and Scope**

The Parties intend for this Memorandum to provide the cornerstone and structure for any and all future contracts being considered by the Parties and which may be related to the partnership.

3. **Objectives**

The Parties shall endeavor to work together to develop and establish policies and procedures that will promote and sustain a market for FHS, partnered with NLLCF Protection District, to facilitate an Emergency Medical Technician course for high school students, and intend to maintain a product and/or service that meets or exceeds all business and industry standards.

4. **Responsibilities and Obligations of the Parties**

NLCF Protection District will assist FHS with course coordination of the program as it relates to the state of Nevada EMS Office and help coordinate with NREMT practical and written examination. NLCF Protection District will allow FHS students to do their required ride along hours at NLCF.

A binding commitment with respect to the partnership described herein will result only from execution of definitive agreements, subject to the conditions contained therein. The provisions under the headings Governing Law and Confidentiality are agreed to be fully binding on, and enforceable, against the Parties.

5. Terms of Understanding

The term of this Memorandum shall be for a period of two years, or until a party chooses to terminate the MOU, from the Effective Date and may be extended upon written mutual agreement of both Parties. Either party can terminate this MOU by giving 30 days written notice.

6. Confidentiality

The Parties will treat the terms of this MOU, and the documents submitted herewith, in the strictest of confidence, and that such terms will not be disclosed other than to those officers, representatives, advisors, directors and employees of any Party who needs to know for the purpose of evaluating the MOU and who agree to keep such material confidential.

7. Legal Compliance

The parties acknowledge and understand that they must be able to fulfill their responsibilities under this MOU in accordance with the provisions of the law and regulations that govern their activities. Nothing in the Memorandum is intended to negate or otherwise render ineffective any such provisions or operating procedures. The Parties assume full responsibility for their performance under the terms of this MOU.

If at any time either Party is unable to perform their duties or responsibilities under this MOU consistent with such Party's statutory and regulatory mandates, the affected Party shall immediately provide written notices to the other Party to establish a date for resolution of the matter.

8. Limitations Of Liability

No rights or limitations of rights shall arise or be assumed between the Parties as a result of the terms of the MOU.

9. Notice

Any notice or communication required or permitted under this Memorandum shall be sufficiently given if delivered in person or by certified mail, return receipt requested, to the address set forth in the opening paragraph or to such address as one may have furnished to the other in writing.

10. Governing Law

This MOU shall be governed by and construed in accordance with the laws of the State of Nevada.

11. Authorization and Execution

The signing of this MOU does not constitute a formal undertaking, and as such it simply intends that the signatories shall strive to reach, to the best of their abilities, the goals and objectives stated in this MOU.

Fernley High School
1300 US-95 ALT
Fernley, Nevada
89408

(Date)

North Lyon County Fire Protection District
195 E. Main St.
Fernley, Nevada
89408

(Date)