

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

MINUTES

NORTH LYON COUNTY FIRE PROTECTION DISTRICT

June 14, 2018

1. Call to Order

The meeting was called to order by Chairman Watson at 1800 hours.
Directors present included: Chairman Watson, Director Hon and Director McCassie.
District Counsel Jack Angaran and Chief Huntley's Counsel Philip Stone were also present.

The Pledge of Allegiance was led by Louie Diaz. 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.)

Citizen Chris Murphy stated: "Citizen, taxpayer, business owner City of Fernley. First of all, I just want to share I've been coming to these meetings for over 10 years, okay; and I was a board of Director for just about a year. And I just want to tell you I am appalled, and I want to make that clear, appalled. The Chief's contract to hold him harmless? Everybody's going to be held accountable; fireman, staff and fire chief. I feel like as a taxpayer, I am being held hostage by it. It's a scam. What we need is a Fire Chief with leadership skills, management skills, fire operational skills; not from a fire; correction; from a farming community who pencil whipped his way in. Our next Fire Chief will be required to live in the District. Now, this morning, the late morning, I sent an email to Chairperson Watson and to Director Hon and to Director McCassie; and I'm going to read my email.

'Dear North Lyon County Fire Protection District Directors;

I recommend effective immediately, our current Fire Chief, Scott Huntley be either terminated and/or duties reassigned to Fire Marshal. The District cannot continue to operate under chaos and distress. So, therefore, it is your duty to take action, as to eliminate possible legal ramifications, legal recourse that may or may not include dissolving North Lyon County Fire Protection District.'

-And believe me it will happen; I'll be the one that will spearhead it.

I strongly urge you not to take this email notice lightly and to again act now.

Thank you very much."

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Citizen Sue Seidl stated she has been a Volunteer with the District for about 9 years, working with Chief Huntley. She said he has been great to work with and has always treated her fairly. She said the department was in severe financial situation than it is now, and he was very tight with the money, and there were times when they went out and did what they had to do to get what they needed. Ms. Seidl said Chief Huntley has been excellent to work with and she thinks there is blaming to go all around. She also said when a supervisor is telling a person they are doing a great job all of the time, and then give poor evaluation scores, there is a problem with the supervisor. If someone is not functioning the way they should, they should be brought in, talked to and counseled; not given consistent praise followed by a poor evaluation. Ms. Seidl said she feels there is plenty of blame to go around.

Stagecoach resident and fill-in Animal Control Officer, Willis Lamm stated he spent 4 years in the fire service and most recently as a consultant. He said Item 6 is tricky territory and it should be thought of methodically and rationally because he has seen years of litigation as a result of knee-jerk reactions in such situations.

Office Manager Mrs. Miller requested all in attendance to sign in so their names can be recorded accurately in the minutes.

Chris Murphy stated he too was responsible approximately 10 years ago on a previous Fire Chief and he did speak with the District Attorney regarding item 6. He said employees work for the State and this entity as at-will employees. He the DA told him that if they don't like the person or the color of their shirt they can be terminated, and not to overcomplicate it.

Taxpayer and citizen Lisa Kettner commented her business is a local hotel, and there have been many times the alarms activated as well as distress calls. She said each time Chief Huntley has responded he was very professional and took care of any situation they had.

Rehab Member Jim Jenne asked if the gallery can ask questions on the items instead of getting into a discussion on something having not come up.

Chairman Watson said, "No".

Mr. Jenne said the way it is worded is the Chief would be fired or retired or something like that. He said he wondered how that decision was being made when there hasn't been a meeting in the meantime.

District Council Jack Angaran stated the terminology used is statutory and means nothing more than that.

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3. Approval of 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 & Approval of Board Agenda**
- 3b. Review & Approve Board Minutes**
- 3c. Review & Approve Revenues and/or Expenditures**
- 3d. Review of Summary Reports**

Director McCassie made a motion to accept Consent Agenda as presented.
Director Hon seconded the motion.
The motion carried as follows: 3-0

Watson	Aye
Hon	Aye
McCassie	Aye

4. Discussion and Action regarding filling the vacant Fire Board Positions*

Director McCassie asked Mrs. Miller how many interested parties have written letters thus far.

Mrs. Miller stated there are currently two positions open as a result of the resignations of Chairman Carr and Director Osborn. She said there are currently three people who've sent letters of interest; the positions need to be posted legally, and then discussed at the upcoming meeting. Mrs. Miller said the positions will be open to receive letters of interest until the closing of the posting on July 6th.

Chairman Watson stated the postings will follow NRS 474.145 to ensure the filing and process is expeditious.

Director Hon made a motion to post the positions with the closing date of July 6, 2018.
Director McCassie seconded the motion.
The motion carried as follows: 3-0

Watson	Aye
Hon	Aye
McCassie	Aye

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5. Discussion and Action regarding Fire District Insurance Carrier*

Mrs. Miller stated POOL/PACT would like to become the District's new liability carrier. She said there were comparisons in coverage between our current carrier Faira, and POOL/PACT; a third bid was requested from ISU but they emailed their inability to provide a bid. Mrs. Miller said Faira did not provide a quote and POOL/PACT did, which is reflected in the Board packet.

Chief Huntley stated in his career there is a long-standing relationship with POOL/PACT, and in addition to working with many other districts they have a proven track record. He reminded the Board that Faira has a 12-month withdraw period and he was told by Faira that a letter to the President requesting exemption would most likely be considered by their Board. Chief Huntley said POOL/PACT has always extended their assistance and resources to the District even though the relationship has been limited, and he recommends POOL/PACT as our new carrier.

Director Hon said the coverage with POOL/PACT regarding equipment replacement is superior to Faira and is important due to the ages of the district's current apparatus. She recommends choosing POOL/PACT.

Chairman Watson noted the classes and grants with POOL/PACT are beneficial to the district and make ergonomic sense.

Director Hon made a motion to change Fire District Insurance carriers to POOL/PACT.
Director McCassie seconded the motion.

Representing A&H Insurance, Inc was: Sales Executive, Tina Peterson and Executive Director Wayne Carlson.

Mrs. Peterson stated a deductible must be chosen, and there are three to choose from each varying in price.

Director Hon stated the difference between the \$5,000.00 and the \$2,500.00 deductible is minimal considering one claim will satisfy the entire deductible.

Director Hon amended her motion to approve changing Fire District Insurance carrier to POOL/PACT with a deductible of \$2,500.00.

Director McCassie seconded the motion.

The motion carried as follows: 3-0

Watson	Aye
Hon	Aye
McCassie	Aye

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6. Discussion and action to consider the character, misconduct, competence or health of person or to consider appeal of results of examination, NRS 241.033; Termination and/or Resignation of Scott Huntley, District Fire Chief*

Director Watson stated since he has been with the District it has been running smooth, fiscally sound and provides emergency services; from EMS to Fire and hazmat. He said staff are multiple tasked and wear many hats as far as services to our community. Chairman Watson said there is a good team concept here and he wants to move forward with our business and keep providing services for the City of Fernley as NLCFPD, not to dissolve the District. Chairman Watson stated we are here to provide emergency service and be accountable to the tax paying citizens of Fernley.

Jack Angaran stated a correction of NRS 241.033 to NRS 341.031.

Director McCassie stated serious concern regarding IAFF Local 4547's recent Vote of No Confidence against Chief Huntley. He said there has been chaos and a lot of unanswered questions and rumors that are untrue. Director McCassie requested having a third-party investigation to address allegations and things that are questionable resulting in straight-forward answers of the facts.

Director Hon stated a Vote of No Confidence reflects a whole department in influx without pulling together for resolution, and that is not what this department is about. She said her concern with the Chief presently is being the leader; stepping forward and straightening this out, getting the department back together and not being divided.

Chief Huntley stated he is here to work further with the Board and staff as he always has, and he believes his is a job well done. He said his evaluations speak to that, and he will continue to do a good job if given the opportunity.

Chairman Watson stated there is a question of 'Admin Chief vs Operational Chief'. He said the Chief wears many hats, doing plan reviews; attending State and County meetings; State Fire Marshal meetings and MOU meetings in Reno, Carson City, Churchill County and Truckee Meadows Fire. Chairman Watson said Admin claims the Chief is never here; but he is here, either by phone or in his district vehicle running command by communications. He said feels the Chief communicates with each Captain on A-shift, B-shift or C-shift, and is pro-active with a good team concept.

Chief Huntley referred to his legal representation Phillip Stone for further comment.

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Mr. Stone stated he reviewed the agreement between Chief Huntley and the District, as well as the past two years evaluations, being the initial agreement entered into May of 2014 and the most recent agreement entered in January 2017. Mr. Stone said when the Board and Chief Huntley entered into the agreement, it was in good faith; in the recital, the agreement was made to make it possible for full work productivity by assuring the Chief's moral piece of mind with respect to the future security of being able to maintain his job. He said that is why Chief Huntley entered in to an agreement, as opposed to being hired so that he could be discharged without notice. Mr. Stone said there is an amount to be paid if it is determined to terminate the agreement. He said there were 5 Directors at the time the evaluations were made and the evaluations were good; although consistently low by Director McCassie. He said the evaluation low marks, primarily made by Director McCassie, were regarding the relationship with the City of Fernley and the community. He said his understanding is that Director McCassie is also a City Councilman, and wondered whether there is a conflict of interest by being a Councilman *and* Board Director. Mr. Stone said his final observation were that the evaluations didn't show the chaos that has been referenced; but a couple months later, the item was on the agenda. He said something must have happened, and if he can't explain it, it is because he must not have all the facts; which makes sense of the desire to do a third-party investigation. He said he didn't understand Mr. Murphy's comment regarding whether the Chief has security; if there's some liability...

Mr. Murphy interjected, asking Chairman Watson to stop Mr. Stone; this is not about Mr. Murphy.

Mr. Stone said he is addressing the point, not the person.

Mr. Murphy again asked Chairman Watson to stop Mr. Stone, and advised Mr. Stone not to use his name.

Mr. Stone stated the point is there are certain immunities for public employees.

Director McCassie reported a recent situation, in which a local business owner went to the District Office to get Chief Huntley's signature for their business inspection and Chief Huntley was not in. Director McCassie stated there have been many concerns regarding the availability of Chief Huntley, and this is just one example.

Director McCassie made a motion to acquire an independent investigation.

Director Hon seconded the motion.

The motion carried as follows: 3-0

Watson	Aye
Hon	Aye
McCassie	Aye

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7. Discussion and action regarding District Fire Chief Annual Evaluation*

Director McCassie made a motion to accept Fire Chief Evaluation.
Director Hon seconded the motion.
The motion carried as follows: 3-0

Watson	Aye
Hon	Aye
McCassie	Aye

8. Discussion and action regarding invoices for Attorney Georgeson Angaran and services provided*

Director McCassie asked for a simplified explanation of the services provided by Mr. Angaran to justify the invoice of \$2,600.00.

Chief Huntley stated beginning in November 2017 the Board Chairman at the time (Steve Carr) instructed him to have council review his contract while the district council reviewed the same. He said there were interactions consisting of email and telephone conversations regarding the collection of specified documents for Mr. Angaran's review.

Director McCassie noted the invoice does not reflect any communication between Mr. Angaran or any of the sitting Board Directors.

Mr. Angaran stated Chief Huntley requested the review of his contract based on the suggestion of former Chairman Carr in a January 2018 Board Meeting. Mr. Angaran said he was present to answer any questions and provide guidance as needed; to do that, he had to look at both Chief Huntley and Chief Cleveland's contracts, in addition to the background of each contract. He said he then wrote an email to all Board Directors asking for any questions they would like addressed regarding the contract; to which he did not receive responses from any of the Directors.

Discussion ensued.

Chairman Watson noted no action to be taken.

9. Discussion and action regarding Longevity Pay*

Director Hon confirmed with Chairman Watson her understanding that Longevity Pay is only regarding Administration; the Office Manager and Administrative Assistant.

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She said she is a firm believer in rewarding people for being here a length of time, which shows dedication and service, and asked if the formula for longevity pay is equal to that of the CBA members.

Chief Huntley stated the Administrative rate was significantly reduced during a late 2017 meeting.

Mrs. Miller confirmed for Director Hon the percentage is 0.5% every year for 7 years of service; not 5.0%.

Director Hon stated her understanding is that at .5% per year, after 7 years the longevity pay would be an additional 3.5%, to which Mrs. Miller confirmed.

IAFF Local President, Paul Murphy stated the cap is at 25 years.

Director Hon stated that at the cap, the percentage would be 12.5%; a long-term schedule at that percentage would compound, and affects the pay; it is not a lump sum. She said when the next contract comes up, she feels it should be discussed, because the last thing they want to do is "break the department".

Mr. Murphy interjected any discussion regarding upcoming contracts are not to be done in the current meeting, to which Director Hon said she understood.

Director Hon suggested looking at something different for Administration saying the School District doesn't do a percentage, they do a dollar amount after so many years of service as incentive.

Chairman Watson stated the State doesn't give a dollar amount; there are additional paid days off awarded. He suggested giving 3 days off after 7 years of service, and after 14 years of service giving a week off; basically, a paid vacation.

Director Hon agreed with Chairman Watson saying, "Then you don't have to worry about their pay compounding."

Director McCassie stated the item has been pushed down the road enough and a decision needed to be made then; whether percentage or monetarily.

Director Hon made a motion that after 7 years of service there be a \$500.00 monetary incentive; after 14 years an additional \$500.00 and after 14 years of service thereafter.

Director McCassie seconded the motion.

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The motion carried as follows: 3-0

Watson	Aye
Hon	Aye
McCassie	Aye

10. Discussion and action regarding 2018 Ballot Question*

IAFF Local 4547 Vice President, Bill Snyder stated no changes to the question, and the ballot advisory is meeting next week.

11. Reports of Directors, Staff, Volunteers, Local 4547, City of Fernley

Local 4547: None.

City of Fernley: None

Volunteer President Joe Mendoza introduced Secretary Marcos Gomez. He said there are four new Volunteers joining the membership and starting Fire Academy in July. Mr. Mendoza said all three new Board Members have met with Administrative Assistant Stacey Rowling to discuss the flow of information regarding HR requirements and processing. Mr. Mendoza noted there will be several Volunteers representing NLCFPD at NSFA in Ely.

Director Hon: None.

Director McCassie: None.

Chairman Watson: None.

Mrs. Miller: None

Ms. Rowling: None

Chief Huntley noted wildland incidents are picking up, and a reminder to the public; if they're out shooting, use extreme caution. He said coming up to the Fourth of July brings additional hazards, so please remove vegetation from around residences. Chief Huntley said the BLM will be at Station 62 any time, and the MOU is presently being worked on regarding how they can help the District, and the Truckee Meadows agreement is finished and signed. Chief Huntley stated the Type 6 is being worked on by Captain Cohen to have the custom boxes installed.

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Chief Huntley said Firefighter Gomez and Firefighter Emery as well as a CERT Member, have input all hydrants into I AM RESPONDING; he is proud of their initiative and having done an excellent job.

12. CLOSED SESSION to discuss Personnel Issues

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.)

Rehab Member Shelly Pringle said she agrees with Director McCassie in acquiring an independent investigation and is disappointed it was not suggested months ago. She said she is concerned that the result will not have an amicable resolution.

Susan Seidl suggested the Board produce a Policy regarding the signing of Business Licenses because the public shouldn't think they can just walk in and get a signature whenever they want. She said there should be a skilled, trained alternate in cases when Chief Huntley is unavailable.

Mayor Roy Edgington recommended the third-party investigators be given specific areas of concentration as to avoid a 'witch hunt'; choose the investigating party from POOL/PACT; include an HR representative and one Board member overseeing it.

Citizen Ray Lacey agreed with the Mayor's recommendation, and he thinks disgruntled people are like 'bad apples'; when they don't get their way, they think they'll be able to take action. He agreed with Sue Seidl regarding an alternate for signing Business Licenses.

14. Adjournment*

Director McCassie made a motion to adjourn at 1904 hours.

Director Hon seconded the motion.

The motion carried as follows: 3-0-1

Watson	Aye
Hon	Aye
McCassie	Aye

