

**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

December 12, 2019

**1. Call to Order**

The meeting was called to order by Chairman McCassie at 1802 hours. Directors present included Director Hon, Director Riesen and Director Hicks. Director Johnson was absent.

The Pledge of Allegiance was led by Stacey Rowling. 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.)

Mayor Edgington thanked the Board for the use of the facility on December 2<sup>nd</sup> for their Western Development District meeting.

Fernley citizen Tammy Dittman thanked Chief Nicholl for speaking at the Kiwanis Luncheon at the Pizza Factory on December 9<sup>th</sup>.

Director Hon thanked the District for the use of the facility for the Rotary Breakfast on December 7<sup>th</sup>; Chief Nicholl was a, "Marvelous Grinch".

**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**

Chief Nicholl requested item 12 be traded with item 6.

Director Hon made a motion to move item 12 to item 6 as proposed.

Director Riesen seconded the motion.

The motion carried as follows: 4-0-1

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

McCassie	Aye	Johnson	Absent
Hon	Aye		
Riesen	Aye		
Hicks	Aye		

Director Hicks made a motion to approve the Board Agenda.  
Director Hon seconded the motion.  
The motion carried as follows: 4-0-1

McCassie	Aye	Johnson	Absent
Hon	Aye		
Riesen	Aye		
Hicks	Aye		

**4. Discussion and action to approve the Fiscal Year 2018-2019 Audit\***

Dave Silva with Rife & Associates attended via telephone. Mr. Silva stated Rife & Arrighi, Blake & Associates do the audit; his firm helps to get ready for the audit. He said the auditor is required to disclose any potential violations of state statues, which is typically in the footnotes. Mr. Silva said the violations are with respect to over expenditures in the funds, whereas the expenditures exceeded the amount that was budgeted. He said in late June the FY 2019 Budget was augmented, and they tried very hard not to have any violations, but they do happen; there are two potential violations, one in the general fund of about \$7,000.00, and the other in the ambulance fund of \$189,000.00. Mr. Silva said these over expenditures are the result of the GASB 68 (Governmental Accounting Standards Board) requirement to include additional amounts that come through Nevada PERS. He said within 60-days the District will need to submit a letter to the Department of Taxation explaining the corrective action on these violations, which will be very easy to do because these violations are not a result of operations, they are a result of the accounting convections related to the PERS requirements. Mr. Silva said both funds have ended the year with positive fund balances; things have certainly been improving over the past couple of years.

Director Hon made a motion to accept the Annual Statement and Report as presented.  
Director Hicks seconded the motion.  
The motion carried as follows: 4-0-1

McCassie	Aye	Johnson	Absent
Hon	Aye		
Riesen	Aye		

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

**5. Discussion regarding FY 2019-2020 Budget Status**

Dave Silva stated because we are only five months into the budget the variances often do not mean a whole lot; it gives the opportunity to make some corrections if they are deemed appropriate. He said his only suggestion is keeping an eye on those expenses that are easy to get out of hand; supplies, repair and maintenance items. Mr. Silva said on the revenue side, the taxes are up from where the budget is, but it is too early to conclude anything; \$170,000.00 for GEMT revenue was budgeted in the ambulance fund and so far, we have zero.

Kasey Miller stated a payment was received and she has it marked to look at with accounting; GEMT monies have been received for the year. She said

Director Hon stated on page 2 of the other equipment non-capital, \$132,849.00 has been spent, and only \$5,000.00 was budgeted.

Chief Nicholl stated that was the approved purchase of Zoll EKG monitors; that money will be returned to that account when we do budget adjustments at the end of the year.

Mr. Silva exited the conversation at 1820.

Kasey Miller stated the District was refunded \$469,260.74 in GEMT monies and it is not recorded properly in the journal entries as it came in one of the checks of ad valorem where it was deposited under ad valorem taxes on the fire side; the journal entry is not showing on the GEMT line item and will be investigated with accounting to correct it.

**6. Discussion and possible action to adopt Resolution 2019-01 2018 International Wildland Urban Interface Code with proposed amendments, to protect life and property in the North Lyon County Fire Protection District\***

Chief Nicholl stated in preparation for building the Wildland Program, “one of the gaps that we have, is that I see 2018 is exceptionally sparse when it comes to vegetation and wildland information. As a matter of fact, I think vegetation-the word vegetation-only occurs twice in the 2018 code. There is a secondary Code called the International Wildland-Urban Interface Code 2018 which addresses all of the WUI (Wildland-Urban Interface) issues that are regulated and creates a more realistic picture of our fire department service. The Code is an optional Code, it is a widely adopted in our area and especially in CA, OR, ID and other heavily forested areas. As I said, in preparation for a building up of a Wildland Program; adopting the WUI Code gives us more authority specific authority to address wildland and wildland urban interface code issues. Although the Code is small, it addresses everything that we need in Wildland-Urban Interface.”

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

Chief Nicholl said, “ It gives us more legal authority to be able to require people, utilities, businesses and the community in general, to be better with Wildland and Urban Interface.” He continued, “For example, our 474 Charter right now, gives us the authority to site someone for a fire hazard with regard to vegetation. We can go in and we can clean that, and then present an invoice to the property owner to clean it when they have failed to mitigate it themselves. The IWUIC gives us more direction in how to go about doing that. It also talks about house pardoning, which is if you live in a dense forested area; special paints, special construction materials and special roofing that makes your house more impervious to fire damage; there is a lot of stuff like that in the WUI Code. So, to move forward we would need to adopt a resolution that adopts the 2018 WUI Code into the District as a sister, or companion, with our 2018 IFC (International Fire Code). Chief Nicholl referred to attached Resolution #2019-01 specifying the areas of proposed adoption:

The North Lyon County Fire Protection District adopts the following Chapters, Sections, and Appendices of the International Wildland-Urban Interface Code 2018 Edition, as published by the International Code Council. These regulations shall be known as the Wildland-Urban Interface Code of North Lyon County Fire Protection District.

Chapter 1	Scope and Administration	In Its Entirety
Chapter 2	Definitions	In Its Entirety
Chapter 3	Wildland-Urban Interface Areas	Excluding Section 302.2
Chapter 4	WUI Area Requirements	In Its Entirety
Chapter 5	Special Building Regulations	Only Sections 501 and 507
Chapter 6	Fire Protection Requirements	Excluding Section 602
Chapter 7	Referenced Standards	In Its Entirety
Appendix A	General Requirement	Excluding Section A104.8
Appendix B	Vegetation Management Plan	In Its Entirety
Appendix C	Fire Hazard Severity Form	Not Adopted

Discussion ensued.

Citizen Ken Gray asked Chief Nicholl if Fernley is considered Wildland area.

Chief Nicholl affirmed, explaining Wildland has a whole spectrum of zones; temperate zones, forested zones to desert zones that are governed by the WUI Code.

Mayor Edgington stated he would like to see maps made distinguishing specific areas. He voiced concern regarding historical buildings with wooden roofing and how the WUI will impact preservation efforts. Mayor Edgington said the City has adopted every Code the Fire District has adopted; he asked the Resolution to be taken to a voting official for review and collaboration.

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

Chief Nicholl stated adoption of the Code also calls for the building of a WUI Plan which addresses all the operational needs; an emergency response plan identifying where WUI areas are based on risk assessment. He said in depth mapping is done within the emergency plan, and he fully intends on working with Shawn Keating at the City.

Discussion ensued.

Director Hon made a motion to adopt Resolution #2019-01 as presented.

Director Hicks seconded the motion.

The motion carried as follows: 4-0-1

McCassie	Aye	Johnson	Absent
Hon	Aye		
Riesen	Aye		
Hicks	Aye		

**7. Discussion and possible action to amend Wildland Coordinator Job Description\***

Chief Nicoll stated the Wildland Program is more than just going on wildland fires; it has a lot to do with prevention, fuels mitigation, pursuit of grant opportunities and management and oversight of the entire wildland component of the fire department. He said it is the Wildland Coordinator's position that would be the program manager of that particular arm of the fire district. Chief Nicholl said he had presented the program and moved Firefighter Piper into the temporary Wildland Coordinator position for this season to get the ball rolling; afterward, several staff and firefighters approached him privately with concerns regarding salary and position definition. He said he took the feedback and solicited input from community peers and made changes to the original job description that was previously presented. Chief Nicholl proposed the following changes:

Definition; Permanent Position:

*“ Full-time and benefited *administrative and operation position. The position primarily works 40-hour work week and is eligible for overtime. The position is at-will according to the availability of wildland funding.* ”*

Permanent;

*“Wage per CBA 7-step grade beginning at \$25.49 with CBA standard % steps. ”*  
*“At-will Employee according to available wildland funds.”*

Chief Nicholl stated with negotiations and discussions with grants and other agencies wanting fuels reduction and access to wildland fire fighting capabilities; the intent of 'at-will' is that

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

it will be self-sustaining. He said initially it will not be self-sustaining, and in order to feel comfortable and protect the long-term benefit of our firefighters, he would like to have it 'at-will'; if it is not sustainable, or looking as though it will not ever be sustainable, there is the ability to pull the plug immediately, revert back to where we are today and start over. Chief Nicholl said if the position is *not* 'at-will', it would not be a promotional position; an internal person would fill the role, have additional responsibility and move away from shift. He said we would then have to hire the internal persons position; fast-forward 2-years and if the program is not sustainable, and we pull the plug. He said by rights of seniority, the wildland coordinator reverts back to their old position, and we have to riff the full-time firefighter that we've hired on the backside. Chief Nicholl stated that by keeping it 'at-will' for two years and proving it can be sustainable; we can then move forward with a long term strategy and convert it to a full supervisory position, bring it in to the Collective Bargaining Unit and use it as a promotable opportunity within. He said his intent is to bring it as closely in-line with our current CBA so that in two years it can be transitioned into a Captain's position with a 7-step beginning grade.

Director Riesen asked if the position is to be dual role.

Chief Nicholl stated that is the intent; the minimum qualifications currently do not require it. He said the desired qualifications do indicate dual role; after two years, when it converts to a full-time Collective Bargaining Unit position, the desired qualifications would then be transitioned to a required qualification, making it permanently dual role.

Director Riesen asked if the starting salary for the temporary position for the remaining 6-months of the year would be \$16.00 per hour without benefits.

Chief Nicholl answered in the negative, saying we could advertise for that, but he doesn't only need the next 6-months; he needs someone for the next 30-months. Chief Nicholl stated a temporary position with a maximum of 1,039 hours at a 40-hour work week would only extend to 6-months. He said he feels strongly that a full-time position is required.

Director Riesen asked if the position becomes full-time, would it then be advertised to fill, and anyone could apply if they meet the qualifications.

Chief Nicholl affirmed.

Director Riesen proposed removing 'Bachelor's Degree' under 'Desirable Qualifications' or changing it to a representative field.

Chief Nicholl stated he is comfortable with removing 'Bachelor's Degree'.

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

Director Hicks requested clarification of the funding of the position until it becomes self-sustaining.

Chief Nicholl stated starting the program, we need to wait for revenues to come in; in order to really capitalize on the ability to bring in the most amount of revenue we can, we need to get someone into the position to start working those revenue streams. He said we would initially have to subsidize the position, and he is proposing that we subsidize the position for a maximum of two full fiscal years; this year and the two subsequent fiscal years with regular evaluations.

Director Hon asked where exactly the subsidization is coming from.

Chief Nicholl stated anticipating the position starting full-time on, or about February 1, 2020 would be approximately \$36,000.00. He said he is proposing going in to one-time monies, because this is a one-time situation, and authorizing \$36,000.00-ish to cover from start date (February 1, 2020) to June 30, 2020; next fiscal year the intent is to be in the budget.

Director Riesen clarified that the next fiscal year budget would reflect it as a permanent position.

Chief Nicholl affirmed, and stated the \$36,000.00 covers wages and benefits.

Director Riesen clarified this position is essentially a brand-new position; Chief Nicholl affirmed.

Director Riesen asked how Local 4547 feels about it.

Local 4547 President, JT McCoy stated they have spoken with Chief Nicholl and emailed the Board of Directors a letter.

Director Hon read aloud the following letter from Local 4547:

“North Lyon County Fire Protection Board of Directors,

Local 4547’s goal is to have the best relationship possible with the District and Chief Nicholl while having open and honest communications. The membership met on 12/10/2019 and one of the discussions was about the Wildland Coordinator position. It is the Local S stance currently that we do not endorse or support the position. The Chief has Management Rights to make and hire the position. We believe that the monies that will fund that position can be used to open salary increases and possibly incentives for our current staff while also allowing for possible Captain promotions at Station 62. Better staffing and salary models will allow the District to keep employees who will not use the District as a stepping stone until better paying or advancement opportunities arise. We believe that the money could also be used on PPE, apparatus and other improvements for the District.

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

Please do not hesitate to contact me with any questions, comments or concerns.

J.T. McCoy, President  
North Lyon Firefighters Local 4547  
775-830-4938”.

Chief Nicholl stated the funding will come from capital reserves, which is one-time monies. He said it would be impossible to use these monies toward salary increases as it would incur next year’s budget with those salary increases for existing employees; it is the creation of a new position which does afford us the opportunity to include that in the next budget year. He said the \$36,000.00 he is asking for does not remotely come close to bridging the gap of need for Captains at Station 62; the Captains at Station 62 will be about a \$380,000.00 investment and there is a lot of things that have to happen before we get there. Chief Nicholl said, as far as the PPE and equipment needs go; he is not exactly sure what that stems from. He said he knows we need PPE’s and he does have a capital replacement plan we are working; it is one of the items of the Strategic Plan being worked on; dedicating the money he is asking for to PPE or Equipment does not open the door for us to have additional wildland monies coming in. Chief Nicholl said if there is a problem we are having with PPE’s or CBA issue, he is unaware; every firefighter in District has 100% qualified PPE’s that are given to them and serviced at the cost of the District. He said there are several single role staff that are transitioning whom do not have PPE’s yet; once they become Firefighters on January 1<sup>st</sup>, they will receive PPE’s. Chief Nicholl stated the money could be spent on a lot of things, but he is looking at spending the money on something that will provide a return on the investment that will hopefully secure more funding for better raises, equipment and more PPE’s in the future.

Chairman McCassie stated this could be a revenue stream that could be managed.

Discussion ensued.

Director Riesen made a motion to approve amending the Wildland Coordinator Job Description with the suggested changes.

Director Hon seconded the motion.

The motion carried as follows: 4-0-1

McCassie	Aye	Johnson	Absent
Hon	Aye		
Riesen	Aye		
Hicks	Aye		

Chairman McCassie recessed at 1921.

Chairman McCassie reopened at 1927.



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

**8. Discussion and possible action to fund Wildland Coordinator Position\***

Chief Nicholl read aloud the following letter to the Directors dated December 2, 2019:

“Directors,

In preparation for next year’s wildland fire season, I believe the best path forward to creating and maintaining a robust and successful wildland program is to fund the full-time Wildland Coordinator position. The Wildland Coordinator will continue the building of a full-service Wildland program here in the District.

The position is a full-time, at-will (based on continued wildland income) employee. The position shares both operational and administrative responsibilities. Annual cost of the position is based on job description.

I anticipate an increase in wildland income, improvement in operational efficiency, and a re-alignment of administrative work to the Wildland Coordinator from both the Fire Chief and the Office Manager.

I recommend funding the Wildland Coordinator position beginning in February of 2020 and through the end of the current fiscal year. This funding will need to come from capital reserves and cover the percentage of financial liability through next budget year. I anticipate that amount to be roughly \$36,000.00.

Respectfully,

Jason Nicholl  
Fire Chief, North Lyon Fire Protection District  
775-217-0185  
jnicholl@northlyonfire.com”.

Director Hon clarified the monies would be from capital reserves and not contingency.

Chief Nicholl affirmed.

Director Hon made a motion to approve the funding of the Wildland Coordinator position as presented.

Director Riesen seconded the motion.

The motion carried as follows: 4-0-1

McCassie	Aye	Johnson	Absent
Hon	Aye		
Riesen	Aye		
Hicks	Aye		

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

**9. Discussion and possible action to enter purchasing agreement for two (2) Type I Engines\***

Chief Nicholl stated with the support of the community we have raised approximately \$7,000.00 which is an incredible feat in such a short amount of time however, we knew from the beginning that fund raiding of this nature would never cover the cost of a new engine. He said we now have problems with our engine that are reaching a critical point; last week an engine failed a pump test that can be repaired, but it is indicative of bigger problems. Chief Nicholl stated we have an aging fleet that has done a great job; the purchase of new engines has been delayed to the point where we cannot wait any more. He said he began discussions with Pierce (the manufacturer) and other Fire Chiefs in our area; there is a purchasing cooperative between local agencies that are all purchasing new fire engines. He said there are options for either lease or purchase through Pierce Financial; the total for two engines is \$1,036,759.00 that includes a \$100,000.00 down payment with 10-year payments of \$101,878.66 at 3.25% interest. Chief Nicholl stated he met with the accountant who has suggested some strategy changes; Director Riesen and Kasey Miller were in attendance as well.

Director Riesen stated we could pay cash for one engine with reserves; the accountant advises keeping the cash and moving forward with financing. He said we would need a resolution before the end of January so it can go to the Department of Taxation for approval before the purchase can be made.

Chief Nicholl suggested tabling the item until the January 9<sup>th</sup> meeting at which time a resolution can be presented for approval.

Discussion ensued.

Chairman McCassie tabled the item to the January 9<sup>th</sup> meeting.

**10. Discussion of potential contract negotiations with Local 4547**

Chief Nicholl referred to the attached list regarding specific articles for collective bargaining agreement; notice to Local 4547 is required by February 1, 2020 of intent to negotiate contracts. He said the attached list reflects highlighted issues however, there are additional issues that need discussing as well.

Local 4547 President J.T. McCoy agreed with Chief Nicholl; he is thankful to start negotiations early.

Chief Nicholl stated a draft will be submitted to Chairman McCassie for signature and delivered to Local 4547.

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

**11. Discussion regarding the Strategic Plan**

Chief Nicholl stated the Strategic Plan transitioned into a 6-month plan from January to June, with additional tasks; the majority of the plan has been completed thus far. He said in June he will have July through December plan ready.

**12. Reports of Directors, Staff, Volunteers, Local 4547 and City of Fernley**

Volunteers: None.

Local 4547: None

City of Fernley: None.

Mrs. Miller reported Christmas for Kids and the Battle of the Badges Blood Drive are both on Saturday December 14<sup>th</sup> from 8:00 a.m. to Noon.

Administrative Assistant Stacey Rowling: None.

Chief Nicholl: None.

Becki Howlett reported training in Yerington and responding to a garage fire on Prairie Lane.

Director Riesen thanked all for a job well done over the year and wished all a Merry Christmas.

Director Hon: None.

Director Hicks: 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 subsequent meeting. Public comments are limited to 3 minutes.)

Chairman McCassie requested scheduling a legal briefing for the Board in January.

**14. Adjournment\***

Chairman McCassie adjourned at 1959.

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

**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 December 12, 2019.

Respectfully Submitted by:

Stacey Rowling  
 Stacey Rowling, Administrative Assistant  
 North Lyon County Fire Protection District

Jan 16, 2020  
 Date

Approval of Minutes

	<u>For</u>	<u>Against</u>	<u>Abstain</u>	
<u>2</u> Approved as Read	<u>3</u>	<u>0</u>	<u>2</u>	<u>3</u>
Approved with Corrections	—	—	—	—

Dan McCassie  
 Dan McCassie, Chairman  
 North Lyon County Fire Protection District

1/16/2020, 2020  
 Date