

**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

INCLUDING VIRTUAL ONLINE ZOOM ACCESS

April 14, 2021

**1. Call to Order**

The meeting was called to order by Chairman McCassie at 1800 hours.

Directors present included Greg McCaffrey, Mike Callagy, Jr., Paul Murphy, and Harry Wheeler.

The Pledge of Allegiance was led by Harry Wheeler. 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. 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 of Summary Reports**

Chairman McCassie announced clarification of 3b. March 11, 2021 Board Minutes; the City of Fernley and Lyon County received CARES money and in turn gave the District money; the District did not receive CARES money.

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Director Murphy made a motion to accept 3b. March 11, 2021 and March 26, 2021 Board Minutes as they are.

Director Callagy seconded the motion.

The motion carried as follows: 5-0

McCassie	Aye	Murphy	Aye
McCaffrey	Aye	Wheeler	Aye
Callagy, Jr.	Aye		

Director Wheeler made a motion to accept 3a. and 3c. as presented.

Director McCaffrey seconded the motion.

The motion carried as follows: 5-0-0

McCassie	Aye	Murphy	Aye
McCaffrey	Aye	Wheeler	Aye
Callagy, Jr.	Aye		

**4. Discussion and possible action regarding Revenue and Expenditures\***

**4a. Enterprise Fund Revenue and Expenditures**

**4b. General Fund Revenue and Expenditures**

Director Murphy inquired as to when GEMT monies will be received, to which Chief Nicholl said typically at the end of June.

Director Murphy inquired as to the source of the miscellaneous revenues in the amount of \$580,115.00 in the Ambulance Fund, to which Chief Nicholl said the monies were donated by the City and County with additional unanticipated revenues.

Director McCaffrey made a motion to accept Revenue and Expenditures.

Director Murphy seconded the motion.

The motion carried as follows: 5-0

McCassie	Aye	Murphy	Aye
McCaffrey	Aye	Wheeler	Aye
Callagy, Jr.	Aye		

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**5. Badge Pinning Ceremony**

Firefighter/EMTA Joseph Mendoza was pinned by Olivia.  
Firefighter/Paramedic Jeremy Deegan was pinned by Michelle.  
Firefighter/EMTA Zachary Callihan was pinned by his grandparents and son.  
Firefighter Joseph Strange was pinned by his wife and son.  
Firefighter Nicholas Parino was pinned by mother.  
Firefighter AC Reyes was pinned by his father.

**Chairman McCassie called for a 10-minute recess at 1812.**  
**Chairman McCassie reopened the meeting at 1823.**

**6. Discussion and possible action to approve fiscal year 2022 Tentative Budget\***

Chief Nicholl presented draft #2 prepared by accountant Dave Silva based on the direction given by the Board at the March 26<sup>th</sup> budget workshop between the three different budgets. He reminded the Board the Tentative Budget must be submitted to the State by April 15<sup>th</sup>, after which there will be a month to make any changes before the submitting the final budget.

Kasey Miller stated a meeting is necessary May 18 at 6:00 p.m. for the final approval to be submitted to the State.

Director McCaffrey inquired as to whether the final budget approval can take place during the regularly scheduled Board Meeting, to which Chief Nicholl said possibly.

Director Murphy asked for clarification of the projected hazmat revenues, to which Chief Nicholl said he started the program prior to the Fire Marshal position. He said it directly addresses the target hazard HMIS places in the City and built into the fee schedule is a tiered schedule of different categories of hazardous materials permitting.

Chief Nicholl said the Fire Marshal manages the prevention division, and this past year was the first that any HMIS hazardous materials permitting for business licenses were done; there are some outstanding unpaid, but the most recent projection of the Fire Marshal is right at \$20,000.00 and additional hazardous materials places are moving in every day.

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Chief Nicholl said the program is an entirely new program that was started when he got here, and it is beginning to bear fruit; in the next month, the hope is to have additional ordinances to address failure to pay permit fees.

Director Murphy inquired as to the plan review fee projections as year-to-date is \$51,000.00 and projected is \$100,000.00, to which Chief Nicholl said this year is actually \$102,000.00 as of last week, and Stacey Rowling said a \$13,422.00 [sic] was received this week.

Director Murphy inquired as to the ambulance saver projections as it is currently \$6,000.00 and the projection is \$30,000.00, to which Chief Nicholl stated the rates were increased by 60% and there are structural changes being made to the program; the calculation is based on all of the current subscribers renewing.

Kasey Miller stated a journal entry needs to be made there, to which Chief Nicholl agreed.

Director Murphy inquired as to the current ambulance fees of \$704,000.00 with the projection of \$1,250,000.00, to which Chief Nicholl said currently it is closer to \$900,00.00 in money in the deposits reported. He said not everyone pays the billing company, some insurance companies directly deposit to our account and send the EOB (explanation of benefits) to the billing company which creates a difficult situation of tracking since the billing company is not processing the payments; he and Mrs. Miller are working with the billing company to create efficiency and streamline the process. Chief Nicholl referred to the FY 2021 reports and said the weekly deposits were six months after starting with the new ambulance billing company; we had already gone through the big spike in carrying over the initial start-up and the first deposits are weekly cash. He said disparities will occur based on volume and time of the year, such as after Christmas and New Year's; the deposits are trending up in actual cash value. Chief Nicholl referred to July 1 of FY 2021, the 10-week rolling average is more accurate to predict where we are going; the FY started averaging 10-week rolling of \$12,000.00 with a steady upward progression which demonstrates our revenues are increasing substantially. Chief Nicholl said right now we are comfortably at \$22,000.00 in our 10-week rolling average and at the last meeting his projection was \$23,000.00; there may be weeks that are less, but this week we had a \$32,000.00 deposit. He said taking \$23,000.000 by 52-weeks is about \$1.2 million, plus the 7% increase in call volume, and an increase in ambulance rates; he is proposing a 10.4% base rate increase this year. Chief Nicholl said everything is stacking up to make 1.3 million entirely achievable; the growth phase that usually takes 6-8 months with a billing company change has taken us 14-months, but we are hitting our stride. He said Mrs. Miller and Dave Silva have reservations and they are all meeting next week for discussions; right now he is comfortable with 1.3 million in ambulance revenue.

Director Callagy made a motion discuss and possibly take action to approve FY 2022 Tentative Budget.

Chief Nicholl called point-of-order, saying the motion has to be, "I move to that we accept the Tentative Budget for submission to the State."

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Director Callagy made a motion to take action to approve the FY 2022 Tentative Budget to the State.

Director Murphy seconded the motion.

The motion carried as follows: 4-1

McCassie	Aye	Murphy	Nay
McCaffrey	Aye		
Callagy, Jr.	Aye		
Wheeler	Aye		

**7. Discussion and possible action to approve the Administrative Assistant to the Chief QA-QI Clerk Job Description and job position\***

Chief Nicholl stated the position is currently part-time with the employee working two days per week and has proven himself to be exceptionally valuable in helping to create efficiencies and spread workload amongst staff.

Chairman McCassie asked for clarification of QA-QI, to which Chief Nicholl said Quality Assurance and Quality Improvement.

Chief Nicholl said after the crews finish the medical charting, QA-QI reviews each chart to ensure all procedures and medications have been captured; in the year before to the enactment of the position we routinely lost \$5-6,000.00 per month in missed procedures that the Paramedics did not document, and the Officer's did not correct in their reviews. He said we recapture additional revenue because those forms are being corrected and in one case a refund was necessary. Chief Nicholl said he has proven himself very valuable to the Fire Marshal Prevention Division, Wildland Division and to Chief Nicholl himself. He said the attached job description and position transitions from part-time to full-time and he asks the Board for approval to make that hire. Chief Nicholl added that Dave Silva said he is comfortable and confident in our ability to bring him on as soon as possible without waiting to July 1<sup>st</sup>.

Director McCaffrey asked if the compensation is what it was and what it will be, to which Chief Nicholl said as a part time employee the wage is \$18.00 per hour and transitioning to full-time will include full-time compensation package; looking down the road, the position has the diversity of being full-time or part-time.

Director McCaffrey made a motion to accept the Job Description Administrative Assistant to the Chief QA-QI Clerk.

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Director Callagy seconded the motion.

The motion carried as follows: 5-0

McCassie	Aye	Murphy	Aye
McCaffrey	Aye	Wheeler	Aye
Callagy, Jr.	Aye		

Chief Nicholl asked for a point of clarification that a vote would not be required as no budgetary amendment would be needed for this position and asked for the Board’s blessing to bring on the employee full-time, to which the Board audibly affirmed.

**8. Discussion and possible action to approve the Memorandum of Understanding for Tactical Paramedic Support to the Lyon County Sheriff’s Office by and between Lyon County, Lyon County Sheriff’s Office, and North Lyon County Fire Protection District\***

Chief Nicholl said the Sheriff’s Office approached the District in need of having tactical float Paramedics for their SWAT team if they are interested; in exchange, the District will host their current tactical paramedic as a volunteer in order to maintain his certifications and work under our Medical Director’s license which will give us control of medical supplies and controlled substances he may use; the individual is a current Lyon County Sheriff Deputy and former employee of the District. Chief Nicholl said the MOU gives the legal authority to work together as governmental agencies and he whole heartedly supports it as a great step forward in our services in North Lyon.

Director Callagy asked if there is a fiscal consequence, to which Chief Nicholl affirmed saying it would be approximately \$500.00 in order to purchase a new biometric controlled substance safe that would be located at the main Sheriff’s Office substation in Dayton as that is where SWAT HQ is.

Director McCaffrey asked if the person would be county wide or only within the district, to which Chief Nicholl said county wide. Director McCaffrey inquired if any other departments are participating, to which Chief Nicholl said at this time no others are participating; it is his understanding from the Sheriff that he is preparing to approach Central Lyon Fire with the same agreement. Director McCaffrey asked for clarification of the District having its own Medical Director, to which Chief Nicholl affirmed. Director McCaffrey asked of there are different standing orders for Practical Paramedics, to which Chief Nicholl responded in the negative saying they will work under our guidelines and policies; if any additional protocol guidelines are necessary we would work with the Medical Director.

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Director Callagy made a motion to approve the Memorandum of Understanding for Tactical Paramedic Support to the Lyon County Sheriff's Office and North Lyon County Fire District.

Director Wheeler seconded the motion.

The motion carried as follows: 5-0

McCassie	Aye	Murphy	Aye
McCaffrey	Aye	Wheeler	Aye
Callagy, Jr.	Aye		

**9. Discussion and possible action to approve the Interlocal Contract between Nevada Division of Forestry and North Lyon County Fire Protection District\***

Chief Nicholl said the Interlocal Contract is updated with the current standards and every two years the contract has to be reviewed; he asked for approval in order to continue Wildland Firefighting.

Director Murphy made a motion to accept the Interlocal Contract with NDF.

Director McCaffrey seconded the motion.

The motion carried as follows: 5-0

McCassie	Aye	Murphy	Aye
McCaffrey	Aye	Wheeler	Aye
Callagy, Jr.	Aye		

Chief Nicholl reminded the Board to sign the agreement prior to departing the meeting.

**10. Discussion and possible action regarding Board S.O.P.s and Policies\***

Chief Nicholl reviewed proposed Board Policy 12 Purchasing saying the purpose of the policy is to provide an organized method for purchasing items for the District.

Director McCaffrey asked for clarification of Procedure 2 as to whether Firefighters can make purchases or just Captains, to which Chief Nicholl said any Firefighter can make a purchase; if it is over \$100.00 they need to present a purchase request form and acquire authorization.

Director Callagy made a motion to approve the S.O.P. and Policies.

Director McCaffrey seconded the motion.

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The motion carried as follows: 5-0

McCassie	Aye	Murphy	Aye
McCaffrey	Aye	Wheeler	Aye
Callagy, Jr.	Aye		

**11. Discussion and possible action to approve Local 4547 request to meet with admin to address contractual items\***

Chief Nicholl stated that after the 3-year contract was negotiated last year, an error in year 3 was identified but it is not pertinent to this year; in lieu of recent events, he requested the item tabled as it does not need to be changed this year.

Chairman McCassie tabled the item.

**12. Discussion regarding FY 2022 Budget**

Chief Nicholl said this budget is representative of the Tentative Budget and if all calculations are correct, a \$255,000.00 appropriation would be required; it is unexpected revenue received that was not spent that could be appropriated next year to cover capital. He said if an appropriation is not made, the money would go into reserves; it is cash, not ‘hypothetical money’. Chief Nicholl said his intent is to use the appropriation to cover one-time capital expenses which would be depreciation, a lease payment and Station upgrades. He said the budget was built based on requests of division leaders of needs for next year, which is built in: \$6,000.00 for medical bags, \$12,000.00 for Wildland PPE, \$27,000.00 for Station upgrades. Chief Nicholl said the amount of time to prepare the budget requires days; last night at 1900 he received an email from Local 4547 stating they are not supportive of the budget because it is based on, “hypothetical money” and in turn, they would like that ‘hypothetical money’ for merit steps.

Chief Nicholl said, “It doesn’t make sense to me, and it is out-of-order, because we have a process of how budgets are done and an objection that comes in the night before a tentative meeting leaves zero opportunity for administration to make any considerable adjustments in the budget before its proposed. I for one am absolutely incensed and I think that it shows the nativity of the union members, and I will be point blank with this; they have always been welcomed in the budget meeting process and they have been actually very good participants in the budgeting process, and this took me by surprise as I am sure it probably did take you by surprise also.



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Over the course of the next 4-weeks we will have the opportunity to make tweaks but they are tweaks, they are really not whole sale changes and with that I just want to say the authority to tell me to march in a different direction rests with the five of you; I will respect everything you say and everything that you want me to do, but the Union is completely and totally out-of-line with this and it is completely and totally the wrong time to do this. It is the second time that the Union has blindsided me by going to you without coming to me first. As a Chief, I will not do that again. I will not allow that to happen again; if it does happen again I do not know what the consequences would be, but I will not work under those conditions. I am telling you this. If you, in reviewing of the Union's requests, wish to come to my office and pound through budget options, that remove what they so eloquently call 'hypothetical money', we can demonstrate how we will in fact probably end up having to lay off three people; the three people, ironically, that we just badged tonight will lose their jobs to answer the Union's request to remove the 'hypothetical money'. If you want to come to my office and pound some numbers, I will do it; if you wanted me to go in a different direction, I will go there."

Director Murphy asked if the \$255,000.00 overage was purely the donation from the City to which Chief Nicholl affirmed.

Chairman McCassie stated the most important thing is to gain three firefighters, not lose three.

Chief Nicholl agreed and said that is the most important thing for public safety and firefighter safety, to advance our staff. He said we are twelve people understaffed; we have to hire three at a time because we cannot afford to hire twelve or six. We are going to have to build at three at a time.

Chairman McCassie noted the leaps and bounds the District has made in building the department thus far.

Director McCaffrey inquired as to when the Union contacted them, to which Chief Nicholl stated it was sent to all of their emails last night and gave Director McCaffrey his copy as the letter was not published in the packet.

Director Murphy asked if the three firefighters that would lose their jobs are not already budgeted or was the plan to promote them to the three full-time positions if this budget is agreed upon.

Chief Nicholl said the 'hypothetical money' that could be revenue projection or roll-over money, is being used to prime the pump to hire these three firefighters.

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He said because we cannot use one-time money to pay for personnel, we will use it for capital expenses; the request is that we do an 8% cola and a 4%, and in some cases 5% merit increase for employees which makes the increase approximately 12-12.5%. Chief Nicholl said every dollar that we put in to an employee costs the district about \$1.71; when adding all of the staff with what their merit increase would be, and then subtracting the 'hypothetical monies' we are about \$256,000.00 in the red. He said he and Mrs. Miller tried to balance it out, and because there is nowhere to cut any personnel, line items were cut in addition to all of the requests that were added. Chief Nicholl said the closest they could get was \$70,000.00; we cannot function on a budget that cuts \$150,000.00 out of lines that already only total \$700,000.00. He said going back to the \$250,000.00; the only way to make it work is to lay-off three full-time firefighters that would save us \$330,000.00 to \$350,000.00 and bring on one more permanent Reserve position to fill that seat, because that position costs \$140,000.00. Chief Nicholl said this is just an explanation of how this request is shallow and not understanding of the bigger picture and reminded the Board the afore mentioned amounts are not actual numbers; he reiterated his offer to meet with the Board at a later date to run the actual figures should they choose to do so, but that would require the Board to change the course right then and tell him to move in a different direction.

Director Murphy asked if it is tight enough that an upset like that would cause some of the parts of the plan to fall through, to which Chief Nicholl said it is exceptionally tight.

Chairman McCassie, Directors Callagy, McCaffrey and Wheeler all affirmed not being interested in changing the budget plan at all.

Director Murphy said he voted Nay on approving the Tentative Budget as it is such a razor thin line that he is less confident that any type of unforeseen fluctuation could cause us to fall through.

Chief Nicholl said with a decade of budget process experience, that argument will be next year and the year after. He said if we play safe and afraid we will never get anywhere and when he was brought here, he was given orders to make bold, daring, unconventional changes that are scary. Chief Nicholl said if it is not done now, it will not be done next year; we will continue to grow, and the staff will continue to be pounded. He said next year, if he is right, maybe three more can be hired.

Director Murphy asked if there was any anticipation of doing these hires and entertaining staff-wide pay increases or any type of alteration to the current salaries? He said we are short twelve; do we see having to leverage more positions on the backs of current staff, to which Chief Nicholl said he does not.

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Chief Nicholl stated he has been criticized by the Union for not laying out the entire plan and he has not laid out the entire plan for the Board either; this due to so many moving parts and if one thing changes, it upsets more things down the road that need correction. He said he needs support and trust that he is doing the best he can under the orders he has been given with financial constraints. He said is done justifying himself to the Union and the firefighters; he is the Chief and he makes the administrative decisions, and for far too long, they have acted like they do. Chief Nicholl said that changes today.

### **13. Discussion regarding 501c3**

Chief Nicholl reported speaking with Mr. Jackson regarding Provision 170 in the IRS Code that allows us to register as a charitable organization because we are a local government; this is the same authority to give people tax deductions for donations that a 501c3 does without the complications. He said he spoke with Dave Silva and from US Tax Code Guide explanation we are already authorized under IRS 170 to do what we need. Chief Nicholl requested removing the 501c3 from next month's agenda and replacing it with 170.

All Board Directors concurred.

### **14. Discussion regarding the Strategic Plan**

Chief Nicholl reviewed the original Strategic Plan Goals and how each have been, or are being accomplished:

- Reduce the risk of injury or death whether by fire, medical emergency, or combination that residents and visitors to our community face daily.
- Improve District operational performance by utilizing known industry best practices and the appropriate collection and use of operational data. We aim to become data driven in operation design and deployment.
- Expand and further develop the District budgetary process to identify and capture additional funding streams thus allowing for achievement of the previously listed goals.

Chief Nicholl said he refers to this document almost every day, and every decision he makes is put through the filter of the Strategic Plan, our mission, vision, and values. He said he is most proud of the Fire Cadet Program that is being led by Firefighter Jesse Richardson.

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**15. Reports of Director, Fire Chief, Staff, Volunteers, Local 4547, City of Fernley**

Director Murphy reported speaking with Lyon County Comptroller, Josh Foli regarding sunset information; the .05 cent override by the voters on 11-8-94 sunsets after 30-years in 2025; He said Mr. Foli recommended putting it on the coming ballot initiative and if we do not get it, we can put it on the one after.

Chief Nicholl affirmed working toward having it on the next election cycle.

Director Murphy reported being at 4.4 cent cap, and a suggestion to go for both the 4.4 cents and trying to maintain the 5 cents that sunset will not work out well. He suggested starting well in advance to be fully prepared.

Director McCaffrey reported sending Chief Nicholl NDF Grant information, to which Chief Nicholl affirmed receiving and forwarding to Captain Kuntz. Director McCaffrey reported Cal Fire administered federal grants on a 50/50 match and Nevada NDF runs the same program so we can apply for those to help with Wildland turnouts, tools, etc. Director McCaffrey stated he is very supportive of having a third firefighter at Station 62.

Director Callagy: None.

Director Wheeler stated he received a direct copy of the American Recue Plan Act describing when monies are coming and how they will be distributed.

Chief Nicholl stated the CARES programs are great, but the omission is the other government agencies, and that is something they would have to be change; he and hopes we are eligible. He said he met with Congressmen Amodei's local Chief of Staff and is hoping they have made those changes.

Chairman McCassie thanked Chief Nicholl for his passion regarding the Budget, District, and community as he does everything 100% in moving forward.

Chief Nicholl thanked the Board for their support and reported looking forward to having Stephen Emery as the full-time Administrative Assistant. He reported the Cadet Golf Tournament is firing on all cylinders with hole sales and team sign-ups and encouraged those who want to participate to sign-up up soon. Chief Nicholl predicted it will be the most successful golf tournament the Fernley Golf Course has ever had.

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Stacey Rowling: None.

Kasey Miller: None.

Rehab member Becki Howlett reported two new applicants that would bring the Rehab team up to 10 members.

Local 4547 Vice President Dan Taylor stated, “We very much recognize the effort and the diligence and the passion that has gone into making this department evolve in the short time period. I was here at the tail end of the previous administration and how that had to go with a vote of no confidence. We are not trying to insinuate anything beyond the fact that we do not feel comfortable on a razor’s edge and I feel like that is an acceptable thing to say. Whether or not we missed our mark and did things we have done, that is a different conversation for a different time; but I personally have taken it to be in the discussions and feel very privileged to be in the discussions that have been had; and we look forward to having more discussion coming to those questions. I think I speak for everybody when I say that we also are passionate about this town and providing services to the community and we will continue to provide service. We are excited about the evolution and trajectory that the department is going and are very comfortable with our safety and well being and that has provided by the administration and the Chief and we are very passionate about coming to work every day. We consciously recognize as a Union and a Department that admin has admin rights. Some of the things that happened suddenly made us feel like we were almost asked to make a statement. I have not been in every discussion at every point and time, but this is our effort to acknowledge that there is a razor’s edge, and we know what we know until we know something new. And we look forward to being a part of the conversations and performing the operations that admin puts out for us. So, at no point and time are we putting anything other than our passion into this community as well, and we look forward to being part of the contribution to this. That’s really about it.”

City of Fernley: None

**16. 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.)

Kevin Standlee (Zoom) reported having meet with Pat Hon and Bill Riesen and forming the first draft of By-Laws for the 501c3; he is troubled by the many stores in town that have double door airlocks that can trap people inside. He said most of the businesses in town are piling up merchandise inside the airlock between the doors and even outside the outer doors so that if you do get an emergency fire and people are pushing on the doors there is a good chance they will jam; he inquired as to Fire District monitoring of such practices during business hours.

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Chief Nicholl responded to Mr. Standlee saying the company inspection program will begin soon; crews will be doing inspections with attention paid to doors, egress, and access routes.

Kevin Standlee thanked Chief Nicholl.

**17. Adjournment\***

Chairman McCassie adjourned at 1940.

**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 April 14, 2021.**

Respectfully Submitted by:


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

May 18, 2021  
 Date

Approval of Minutes

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

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Dan McCassie, Chairman  
North Lyon County Fire Protection District

May 18, 2021  
Date