

**NEVADA STATE
BOARD OF FIRE SERVICES
Tuesday, June 29, 2010 – 9:00 a.m.
Nevada State Fire Marshal Division
Classroom C
107 Jacobsen Way
Carson City, Nevada**

MINUTES OF MEETING

MEMBERS PRESENT:

Pat Irwin (Chairperson – *via telephone*) – Training Officer, Lovelock Volunteer Fire Department
James Wright (Secretary) – Chief, Nevada State Fire Marshal Division
Lynn Nielson (*via telephone*) – Engineer
Michael Brown – Chief, NLTFPD
Bertral Washington – Training Officer, Las Vegas Fire Department
Pete Anderson – State Forester, Nevada Division of Forestry
Dale Smith – President, Smith Design Group

MEMBERS ABSENT:

David Petersen, Hazardous Materials Specialist, Mesquite Fire Department

ALSO PRESENT:

Denesa Johnston – Administrative Assistant, Nevada State Fire Marshal Division
Samantha Ladich – Deputy Attorney General
Elaine Pace – Training Officer, Fish Springs VFD
Dennis Pinkerton – Bureau Chief, Nevada State Fire Marshal Division

- I. **Call to Order** - Chairperson Irwin called the meeting to order at approximately 9:00 a.m.
- II. **Verification of Notice of Compliance with Open Meeting Law** - Denesa Johnston verified the meeting was noticed in compliance with Open Meeting Law.
- III. **Roll Call and Introductions** - Roll call was heard and a quorum of six members was determined. Introductions were made of individuals present at the meeting.
- IV. **Review and Discuss the Purpose and Scope of the Board of Fire Services** - Chairperson Irwin stated this Board was a recommending Board to the Fire Marshal and oversees general concerns from the public. BFS meetings have not been held for some time due to recent budget cuts, which eliminated funding for the Board, and also because of the lack of quorums. He commented on Board recommendations that have been submitted to the Legislature. Member Wright stated he distributed the NRS section regarding the purpose of the State Board of Fire Services. He commented on the importance of the BFS and that the Board's core missions and drive would play an important role in upcoming legislation and during the budget period.
- V. **Election of a new Chairperson for the Board of Fire Services** - Chairperson Irwin stated he was termed out and that he would be officially off the Board on July 1, 2010. Chief Washington volunteered to become the new BFS Chairperson.

Dale Smith moved to nominate Bertral Washington as BFS Chairperson. Michael Brown seconded the nomination. The nomination carried unanimously.

At this time, Pat Irwin handed over Chairperson duties to Bertral Washington. Chairperson Washington thanked Chairman Irwin for his leadership and the Board for their nomination and stated he was eager and motivated to serve on and move the Board forward.

- VI. Discuss the Impact of Volunteer Fire Service Agencies in regard to Heart Bill and over age 55 change in Legislation -** Member Irwin stated the Heart Bill was enacted with the stipulation that physicals be held across the State. It also removed the discrimination of those individuals over the age of 55.
- VII. Review of current appointments/reappointments and vacant positions of the Board of Fire Services -** Denesa Johnston reviewed appointments, re-appointments and vacant positions on the Board. Member Wright stated Elaine Pace's appointment would fill Pat Irwin's vacancy. The only vacancy would be the one for Craig Nixon which should be resolved in the next two weeks. Member Brown noted Dale Smith never received an appointment packet. Ms. Johnston stated she would follow-up on that issue. Chairperson Washington requested this item be agendaized for the next meeting so appointments could be made official. Member Irwin stated he wanted to make sure that new appointments file with the Secretary of State's Office regarding Financial Disclosure Statements.
- VIII. Discussion regarding the Concept of Combining the Board of Fire Services and Fire Service Standards and Training Committee -** Member Wright commented on government re-formation of Boards and Commissions due to recent budget cuts. He stated he was presenting this concept because BFS should have a say in its own destiny and because funding was no longer being received for this Board. He distributed for review the NRS section regarding the formation of the Fire Service Standards and Training Committee (FSSTC) and stated the FSSTC was developed to address the issue of training and certification. He noted there was overlap between both of the Committees with regards to Legislation, which could warrant the combination. Make-up of the new Board would need to be addressed, but one aspect that was being considered was for the new Board to be a Hearing Board or an Appeals Board for Fire Marshal regulations. He noted FSSTC concerns regarding the number of individuals on the new Board and commented that, in his opinion, eleven to thirteen members would be the right representation consistency for the new Board. He noted meetings would be held, at least, quarterly and that reception for the concept has been okay.

Member Anderson agreed this was a critical time due to recent budget issues. He stated the challenge will be trying to develop BDRs for the upcoming legislative session.

Member Nielson commented that he would need to research the issue further before expressing support or opposition to the concept. He also stated meetings should be planned and held on a more regularly scheduled basis in order for quorums to be in attendance at meetings.

Member Irwin provided a brief history of the FSSTC. He stated that action by the FSSTC regarding this issue at their last meeting was for the State Fire Marshal's Office to create a steering committee that would research this concept and provide recommendations to both the BFS and the FSSTC regarding the next step in combining the two Boards. He commented on the importance of consolidation in order to be more pro-active in government affairs regarding fire services.

Chairperson Washington requested this item be agendaized as an action item for the next meeting.

- IX. Nevada State Fire Marshal Report regarding: Safe Cigarette, Vacant Position, 2010 Fire Show Reno, and new Work Plan of the State Fire Marshal Division –** Regarding Safe Cigarette, Member Wright reported the last legislative session supported Nevada's adoption of a new fire standard compliance for cigarettes. He explained how chemical "speed bumps" would be imbedded in the shaft of the cigarette to cause the cigarette to self-extinguish if the cigarette is not being smoked to prevent fire hazards. All fifty states have adopted this standard. The law took effect on June 3, 2010 and requires manufacturers of all cigarette products sold in the State of Nevada to be certified with the State Fire Marshal's Office. Cigarette manufacturers will be charged \$1,000 for certification of each cigarette brand they sell in the State. To-date, 85% of cigarette manufacturers is certified and approximately \$116,000 has been received for certification. The State Fire Marshal's Office was working closely with Taxation to find and certify the other 15%, but most of these cigarette manufacturers. The certification period is good for three years. Funding from the standard will be rolled over into the next fiscal year. The purpose of the account is to focus on fire prevention activities in the State, but federal standards, when implemented, will take precedence over State standards. Officers will be enforcing the standard, but the major cigarette manufacturers in the State have already received certification. There will be enforcement of the standard on Indian reservations, but enforcement of taxation on reservations will not be enforced. The Bill regarding the novelty cigarette lighter or the "toy" cigarette lighter went into effect January 1, 2010. There have not been many issues since that went into effect.

Regarding the 2010 Fire Show Reno, Member Wright reported the Fire Show was held in Reno last year, but the "Haz Mat Expo" show was abolished due to recent budget cuts so Haz Mat elements would be included in the 2010 Fire Show which will be held on October 25th through October 27th, 2010. Nevada responders will be certified through the State Fire Marshal Division.

Regarding the new Work Plan of the State Fire Marshal Division, Member Wright stated it has not been finalized yet. He reviewed the format for the work plan and stated that the first version was distributed in 2007 and that the Division hit every mark on it. He commented on the number of fee-funded positions that were now vacant within the Division due to recent budget cuts. Funding for Training Officers was dependent on State Emergency Response Commission (SERC) funds and NDEP funding that is received from the Beatty Dump. He commented on the importance of Haz Mat training. He stated a new Training Officer would be hired for Elko. Positions to be filled will be phased in on an as-needed basis. Member Wright stated his fear was the impact that government reformation will have on the Division.

Dale Smith asked if the protest to the Legislative Council Bureau (LCB) was submitted in writing. Member Wright replied it was in an informal fashion. Mr. Smith asked if there was marketing material available that outlines responsibilities of the Fire Marshal's Office to show the Division's importance. Member Wright stated they have been working on that. He commented on the outreach that the Division has done.

X. Discussion regarding the number of International Fire Service Accreditation Congress (IFSAC) professional certifications issued during the current Fiscal Year 2010 – Denesa Johnston reported 146 IFSAC certifications have been issued to-date of which 49% have been for Haz Mat. Member Wright provided a brief history of IFSAC for new Board members.

XI. Discuss the Frequency of Meetings for the Board of Fire Services for the years 2010 and 2011 and schedule these meetings – Member Nielson commented that more meetings needed to be scheduled in order to develop and submit recommendations to the Legislature. Member Wright pointed out the number of factors that need to be taken into consideration when scheduling meetings including the fiscal aspect for travel stipends. Member Nielson stated more teleconference meetings could be held and suggested a motion be made to discuss and schedule meeting dates. Chairperson Washington suggested the Board also plan meetings around the different events held throughout the year. Member Brown asked about the BDR cutoff date for the next legislation. Deputy Attorney General Ladich reported DPS has already cut off the deadline therefore someone would have to present BDRs to the Legislature. The Board discussed to hold the next meeting on August 31, 2010 and in October during the 2010 Fire Show Reno.

Mike Brown moved to schedule the next BFS meeting on Tuesday, August 31, 2010 and for another meeting to be scheduled in October to coincide with the 2010 Fire Show Reno which will be held from October 25-27, 2010 with meeting times and places to be determined by the State Fire Marshal's Office. Lynn Neilson seconded the Motion. Motion carried unanimously.

Member Brown suggested agenzizing an item for the October meeting to discuss the 2011 BFS Meeting Schedule. Denesa Johnston stated she would make sure the issue was agenzized.

XII. Discuss Recommendations to the State Fire Marshal Division concerning necessary Legislation in the Field of Firefighter and Fire Protection – Member Nielson stated this issue was agenzized because it was in the NRS, but that discussion during this meeting was already addressing the issue. Chief Washington requested this issue be a standing item on the agenda.

XIII. General Announcements and Call for Public Comment

Member Wright made available the 2009 NFIRS Report and stated the report was also posted on the Nevada State Fire Marshal website. He reported there had been 80% department participation, but that has dropped to 70%. The number of fire-related deaths in the State is the most requested information throughout the State. He commented on the importance of including fire statistics in the report. Chairperson Washington commented that it was through the BFS that he was able to have Member Wright working with his Public Information Officer (PIO) Department. He suggested creating a pamphlet for the entire State that would provide NFIRS information. Chief Brown commented on the importance of this information to his agency.

XIV. Adjournment – There being no further business, the meeting adjourned.

Michael Brown moved to adjourn the meeting. Pete Anderson seconded the Motion. Motion carried unanimously.