

MINUTES

Nevada State Board of Fire Services

September 30, 2020

9:00 a.m.

Locations:

State Fire Marshal Division: 107 Jacobsen Way, Carson City, Nevada

And teleconference:

Teleconference to 775-687-0999, Participants Code 47525#

Board Members Present:

Jeffrey Buchanan
Steve DiGiovanni
William Snyder
Jack Snyder
Kelli Baratti
Danny Brennan
William Erlach
Mike Dzyak

Board Members Not Present:

KC Kacey

Others Present:

Patsy Milton - Administrative Assistant, State Fire Marshal Division
Nathan Hastings, Deputy Attorney General
Dale Way - Truckee Meadows Fire District
Lynn Nielson - Fire protection engineer, City of Henderson
Shawn White - Fire Chief, City of Henderson
Majid Pakniat - Building Official, City of Henderson
Chris McCubbins - Fire marshal, City of Sparks Fire Department
Tray Palmer - City of Reno Fire Department
Nathan Hastings - Attorney General's Office
Kevin McOsler - Chair, Southern Nevada Building Officials Group
Tom Dunn - District Vice President, Professional Firefighters of Nevada
Todd Ingalsbee - president of Professional Firefighters of Nevada
Mark Meranda - Building official, City of Sparks
Albert Ruiz - Nevada State Fire Marshal Division
Christopher Boyd - City of Henderson Government Affairs
Dennis Pinkerton - State Fire Marshal Division
Sean Slamon
Jason Nichols

1. **CALL TO ORDER** (Non-Action Item.)
The meeting was called to order at 9:00 a.m. by Jeffrey Buchanan.
2. **VERIFICATION OF NOTICE OF COMPLIANCE WITH OPEN MEETING LAW**

(Non-Action Item.)

Patsy Milton confirmed compliance with the Open Meeting Law

3. **ROLL CALL AND INTRODUCTIONS** (Non-Action Item.)

Patsy Milton called roll. Eight (8) board members were present. A quorum was established. Introductions were made.

4. **PUBLIC COMMENT** (Non-Action Item.)

There were no public comments.

5. **APPROVAL OF THE JULY 20, 2020 MEETING MINUTES** (Discussion/For Possible Action.)

Jack Snyder motioned to approve the minutes and Steve DiGiovanni seconded. Motion carried.

6. **STATE FIRE MARSHAL ADVISOR REPORT** (Non-action item)

Mike Dzyak reported, in fire prevention, he was hoping to do some important work there. He was asked to be an executive board member for FPAN and accepted this honor. He has been appointed by the Governor to the State Board of School Safety. The NFPA poster contest was completed but only five posters were submitted statewide. He stated he has \$80,000 in fire-safe cigarette compliant funds toward a statewide fire prevention campaign. That includes representatives from FPAN, NDF and Nevada IAAI. Danny Brennan and Kim Smith are heading it up through a company called KDC. We are going to go to IFC, Interim Finance Committee, in December for expenditure approval. I do not anticipate any issues. Those funds are to be used for fire prevention and we are going to take a full opportunity to get all this done. NFIRS is changing their systems and Danny Brennan is working with USFA on the instructions and procedures for all the departments to report. Licensing is working with GL solutions to get the system up and running for all the cardholders and companies out there. Hazconnect went live to collect 12 percent late fees from businesses that failed to renew on time. This will increase funding available for firefighter training and hazmat. That came in on the last code adoption. The computer systems are up and running and live and now any companies reporting late are going to pay that 12 percent and keep everything running smooth. Investigations, male suspect arrested on a warrant in Lovelock has plead guilty to several charges, including first-degree arson. Male subject arrested for second-degree arson in Yerington plead guilty to lesser charges in a plea deal. Male suspect arrested for first-degree arson in Pahrump, we have a trial pending and we filed for an arrest warrant for an adult male, first-degree arson, in Pahrump. Suspect arrested and charged with third-degree arson for igniting a palm tree at UNLV. We had a fire fatality investigation in Pahrump, one adult male, cigarettes and oxygen. Fire fatality in Pahrump, one adult male using gasoline to ignite a burn pile and our officers are assisting NHP Capital Police and Legislative Police with protests at the capital. We have closed our budget on 9/1/20 for the 21-23 biennium fiscal years 2022 and 2023. Fiscal year 2020 budget was successfully closed and approval was applied by the Governor's Finance Office on 9/14/20. The Financial Services Bureau hired a management analyst I who promoted from the bureau's accounting assistant III so now we are going to fill that position. We have submitted our justification to fill to the Governor's Finance Office and we are awaiting approval. SERC is a separate commission and has \$375,466 in total SERC [inaudible 00:09:54] funds fiscal year 21 [inaudible 00:09:58] local emergency planning committees for planning and training activities and 353,000 in United We Stand funds for state fiscal year 21 [inaudible 00:10:09] and one state agency to help combat terrorism. And, finally, \$90,882 in hazardous materials emergency preparedness midcycle funds for [inaudible 00:10:21] for planning and training of hazardous materials, events, activities and transportation. They also closed their fiscal year budget out. Inspections/plans, a contractor inspector was brought on to work in Elko and the

surrounding areas to help us with inspections since we closed the Elko office. ICC fire inspector II certified. Contract plans examiner was hired to replace one that took a leave of absence, ICC fire inspector and ICC plans examiner certified. One staff member in the southern region obtained his ICC certification and is accompany inspectors for inspection training. They did Microsoft teams training in a preparation to go online. We are getting finally to the place where we can accept electronic plans. We were full on assault on school inspections. We will commence the week of October 5 in the rural counties. Training, we had bureau staff organizing and conducted 67 certification and testing events statewide with 270 written tests and 214 skill tests. We had everything [inaudible 00:12:20] commanding control of [inaudible 00:12:22] fire operations for structural chief officer at Reno Fire Department. We have fire investigation curriculum development meetings [inaudible 00:12:31] Dan Henan [ph 00:12:31], Dave Ruben [ph 00:12:32] and Terry Taylor [ph 00:12:33]. Those guys have been working on getting us a state certification. We took receipt of the new fire investigation training trailer. Those guys are getting our curriculum together so we can bring that truck all over this state and get people trained up on fire investigations. We can actually do live fire burns which is something we could not do before. We did a hazardous materials operations class that we sponsored in Moapa Valley Volunteer Fire Department. We are supporting all the training in the rurals. They're working on IFSAC.

7. **UPCOMING LEGISLATIVE PROPOSAL FROM THE CITY OF LAS VEGAS, CITY OF HENDERSON AND CITY OF NORTH LAS VEGAS.** (Non-action item)

Jeff Buchanan stated, just a point of clarification, the City of Las Vegas has not taken an official position on this at this time.

Lynn Nielson stated right now strike off city of North Las Vegas. They have not taken an official position either. We are working with both the city of Las Vegas and the city of North Las Vegas and we hope to come together with their full support and I believe we are working towards that. With me on the phone today are our fire chief, Shawn White and our building official, Majid Pakniat and our government affairs committeeperson. The proposed change revises the requirements to quality and maintain for an exemption from certain regulations concerning fire and building codes. Currently as written in the state [inaudible 00:16:59], could be interpreted to only apply to counties with populations of 700,000 and more. The intent of this change is to obtain parity equality for larger charter cities within those large counties. This parity would expand the exemption found in NRS477.030 subsection 12 to include charter cities whose population is 100,000 or more who might otherwise not quality due to the size of their county or might not otherwise qualify. There is a total of 13 charter cities in Nevada. Of those, five charter cities have populations of 100,000 or more, Henderson, Las Vegas, North Las Vegas, Reno and Sparks. As you look at the proposal, if you go to page 3, item 12, if you take a look at 12A and 12B, you will see the language that we are looking to insert. Simply put, 12A will say does not apply in a county whose population is 700,000 or more. The language we are looking to insert would say or a charter city whose population is 100,000 or more. Then the current code goes on to read which has adopted a code at least as stringent as the international fire code and the international building code published by the international code counsel to maintain an exemption from the applicability of the regulations of the state fire marshal pursuant to this subsection the code of the county. And then, the proposed language says or a charter city whose population is 100,000 or more must be at least as stringent as the most recently published edition adopted by the state fire marshal. We inserted the adopted by state fire marshal, of the international fire code and international building code within one year of publication of such addition. And then, we inserted this at the end, or adoption by the state fire marshal, whichever occurs later. In part B, we simply added to the very beginning applying to county, and we just added this, or a charter city, and the rest remains the same. The solution that we are looking to do will expand the exemption from counties with population of 700,000 or more to include charter cities that have a population of 100,000 or more. A similar solution was proposed during the last legislative cycle as Senate Bill 11. When Senate Bill 11 was heard, the testimony that was received was quite interesting

if you go back and listen to that. One of the things that came up was a concern that was being addressed to respond to Chief Greg Cassell concern about some of the smaller cities in Clark County such as Laughlin, Mesquite and Boulder City. Chief Cassell at the time said he didn't want any change to affect them. Senator Goicoechea of Carson City recommended using the trigger which he found in the statute for arson and other things of 100,000. He felt like that was a reasonable trigger. We researched the population of Nevada and found that the five largest cities, Reno, Sparks, North Las Vegas, Henderson, City of Las Vegas, all of those have the populations greater than 100,000. The next most populous city is Carson City with a population of 55,916. As one of the five largest cities, we feel we have the staff and resources to be able to deal with things that happen as a result of fires in buildings and structures in our jurisdiction. We felt like the 100,000 population trigger was reasonable. Also in our proposal, we added language that allows our code adoption to parallel the state fire marshal's code adoption process. As currently written, the language would require adopting, does require adopting code each cycle. Each time the international code counsel publishes a new building and fire code, it has to be adopted within one year based on the current language. The proposed code language would provide more flexibility and would synchronize code cycles with the adoption that the state fire marshal does. In other words, the current language that we are proposing would mean that we would have to adopt the same code that the state adopts but if the state elected to adopt one, we could still adopt a more current code but we could never adopt a less current code than the state adopts. The Southern Nevada Homebuilders and other professional organizations have expressed concerns of having different enforcing agencies adopting differing code additions. It causes difficulty for them when they try to submit plans in a region where the region is not all in the same codes. For the collaboration of our bill, we did start with the language that Las Vegas proposed on Senate Bill 11 and we revised that language. We feel that the revisions that we put in there improve it to address the concerns that were brought up during the hearing for Senate Bill 11. I should also emphasize the whole reason that we are doing this is because with the language that is in the statute at this time, it does not enable us to do things that are in line with the base IDCISC that in fact says it would have to do within the state administrative code. In the administrative code, and I'll just jump right to it because I know this is right on the forefront of a lot of your minds, NAC477.283 of subsection F there is a definition in there for high rise buildings at 75 feet, replacing that with 55 feet. In our jurisdiction, we feel we have the resources to be able to deal with high rise as defined in the international building code and international fire code in the base code. Allowing this change to take place will allow us to further allow our code to go back to the base code requirements.

Shawn White stated this has been going on probably the last four years or so, starting back with Chief Cassell, Chief McDonald [ph 00:24:29], Chief Calhoun [ph 00:24:30] and myself as we are working through this issue. I think we were all in agreement that [inaudible 00:24:38] made sense that those jurisdictions have resources that are available to manage those types of risks if they wanted to do something different. At that original conversation, the county had no [inaudible 00:24:50] change their regulation on the base code as far as low rise to high rise, 75 feet to 55 feet, where at that time, Chief McDonald, myself and Chief Calhoun all felt like we would look at the issue, study the buildings and the code that we would be comfortable with those [inaudible 00:25:12] in our jurisdictions and that's kind of where we got to this point. Since then, Chief McDonald left [inaudible 00:25:22] up to speed as acting [inaudible 00:25:24] the city of Las Vegas now and understand that they are still considering this. I did talk to Chief Calhoun and Chief Calhoun has since left as well, and had conversations with Chief Steinbach [ph 00:25:36] as well on this issue. Calhoun was in support [inaudible 00:25:43] that they would be comfortable with being able to have some opportunities for [inaudible 00:25:52] criteria for their jurisdiction. Chief Steinbach is still to the opinion that he does not really want this product in his jurisdiction but understand and support us in our efforts to do something different in our communities.

Majid Pakniat stated he wanted to add on this [inaudible 00:27:57] side, which is the Southern Nevada Building Officials Organization. Traditionally, all jurisdictions in southern Nevada have been

adopting the same family of codes at least for the last 20 years. The last code cycle, three of the jurisdictions, North Las Vegas, Las Vegas and Henderson did not adopt the initial of the high rise by the state fire marshal's admin code and the reason that we, in Henderson, was that our mayor and council did not support that and we have to follow their instructions and their will. From thereon, our code adoption process became very complex and this is a continuous agenda on [inaudible 00:28:58] meeting committee every month and the industry has been there asking us questions, which families of codes are you planning to adopt and what jurisdiction is adopting what code. Clark County right away said that they are not adopting period. The mayor of Las Vegas, Henderson and North Las Vegas said we are not adopting [inaudible 00:29:26] but by law we have to adopt because of the NRS that is in front of you. The language reads that counties are exempt, not cities. However, if we do not get support for what is today and if they are not passed in legislature, [inaudible 00:29:46] the complex problem that the industry will have to submit to each jurisdiction differently. They will have to design, permit and construct buildings differently in every jurisdiction almost. From here on we will have different codes, which that was not the intent of [inaudible 00:30:22] building officials when we first met like around 20 years ago. The main purpose was to have consistency for our customers.

Dale Way stated the North Las Vegas fire code that I adopted before I left does have the definition of high rise at 55 feet or greater.

Williams Erlach stated you want to get these exemptions from this regulation and that is what the intent is long-term. He asked what particular that you are looking to do after that.

Lynn Nielson stated there is only one provision in the Nevada State Administrative code that is causing a lot of distress on the part of our mayor and council and that is the part in NAC 477.283 subsection F. In that particular one, the definition of high rise has been changed from 75 feet and replaced with 55 feet. Our mayor and our council, as well as our fire chief feel like we can deal with a fire in a high rise that is constructed in accordance with the base IDCISC. For that reason, we would like to have the ability, the same as the county, to adopt a code that is at least as stringent as the base building and fire code in the city of Henderson.

Steve DiGiovanni stated he agreed with the direction of where this is going. I think this is a good change. I investigated the 100,000 number and I feel that is an appropriate trigger so I agree with that. I do not have any issues with this moving forward.

Dale Way stated he was going to be speaking in opposition to this for a number of reasons, the first being that Clark County, the agency that originally submitted this legislation for change, did not amend the definition of high rise in its last code adoption. Chief Cassell did not support moving away from that at that time and I do not believe that Chief Steinbach is moving in that direction as well. One of the other things is that Nevada not being a home rule state, I think that actually we should move to repeal subsection 12 of NRS 477.030 which returns the complete authority to the State fire Marshal's office to set building and fire code minimums for the entire state. The state does not have its own high rise provisions. There are seven provisions in high rise in section 914 of IOC that are required to be met. Understanding what the two jurisdictions in southern Nevada has done is creating a term called midrise, which is not codified and when I looked at these midrise provisions that are required of these buildings between 55 and 75 feet, interestingly enough, you basically have already required six of those seven requirements, leaving out only secondary water supply, which a lot of time can be as simple as varying a tank, the appropriate size tank to make the secondary water supply and probably comes out to be one of the cheaper overall requirements. Not much is really being left out and therefore there is no real reason to move away from 55 feet. Some areas of Nevada operate with three-person engines and trucks. I think some people down there already realize that southern Nevada may one day come to that. The fact that you are already requiring six of seven high

rise provisions on the so-called midrise, it just seems a little bit pointless. I would also want to stress at this time that we are rapidly approaching the 40th anniversary of the first incident that really started to generate talk on this, November 21, 1980, the MGM fire. Granted 40 years is a long time and codes have come a long way, but without an honest and accurate side by side comparison of what happens where we require here in Nevada a building of 55 feet to have the high rise provision versus what a building at base code without the so-called midrise provision gives us and so accurate analysis has been performed, accepted by firefighters statewide, like the PFSN, and approved through the Nevada legislature, we should not be deviating from basically something that we've been doing for 37 to 39 years. Because, again, our firefighters already know we have the safest buildings, safest high rises practically in the country, potentially even the world. What you are going to do is potentially force firefighters into knowing different things at different buildings for different times. The other thing I want to address is while a lot of firefighters in this state have probably much, much better high rise operational training than they did during 1980 and 1981, I want to point out the fact that very few current firefighters in this state have ever actually fought a working fire in a high rise building. A lot of that has to do with the existing safety provisions that have existed for almost four decades at this point. When it does come time, regardless of training, you cannot account for all instances and people may perform exactly as they trained but it is doubtful because it's not high rise training. Even in southern Nevada, is not something that occurs on a weekly, monthly, quarterly, semi-annual basis. More importantly, we also have another code twist coming in which a potential for tall mast timber buildings. That is going to put a new twist on things as well. Structurally speaking, these are some of the concerns I have that are not wholly investigated at this point. My conclusion is that this subsection 12 should be repealed so that the State Fire Marshal again sets the minimum standard, which is the way that it was. Local jurisdictions can be more stringent if they want but I think this thing has seen its day and gone. I am not even sure how many times the person that was the building official at Clark County ever really used it or implemented it.

Nathan Hastings stated [inaudible 00:47:32] population is 100,000 or more and what that is intended to accomplish and what it would likely accomplish if adopted in the first and second sentence of subsection 12A in the statute with this draft. What I am not clear on is the intent and how it would work for this, having added the language on the at least as stringent part and the one-year rule by saying, by adding adopted by the fire marshal in two provisions there and so I think I am misunderstanding. If the fire marshal adopts the fire marshal's code periodically at the time where it updates its regs and continues to have the more stringent provision on the building height issue, wouldn't adding the language that you are adding here about adoption of the fire marshal's regs be an unnecessary complication potentially and lead to a potential interpretation where tying the adoption by a 100,000 charter city to the adoption by the fire marshal when you say at least as stringent as the most recently published edition adopted by the fire marshal, if the fire marshal's addition has the more stringent provision that you do not want to be subject to. I am a little bit confused about why you would add that instead of just saying at least as stringent as the IFCIBC.

Lynn Nielson stated he will certainly bring that up to our city attorney's office attention and see if they can help us more carefully craft language to address the point that you have made there. He stated they did not adopt midrise provisions, just a point of clarification. We are at base code.

Tom Dunn stated he was a responder as well as recovery specialist for the Mizpah fire that happened in the city of Reno back in 2007 where we had 13 fire fatalities in a building that was not a high rise building. His stated his concern is we have had two of the largest multi-fatality fires in the country's history and here we are once again trying to decrease the safety of the public and decrease the safety of your first responders responding into these buildings by trying to change the code. I think it is noble that jurisdictions believe that they have all the resources to respond to a high rise fire, a midrise fire or a low rise fire in their jurisdictions but I can tell you, based on my personal experience, when you have one or more floors of a building on fire, when you have more than four people that need to

be rescued, you rely on your mutual aid partners more than ever. For the city of Reno back in 2007 during the Mizpah fire, we stripped our entire city and sent them to that fire. We also had to rely on our mutual aid partners to cover our own districts while we were responding to that fire and we see it today. Even if we had a fire in the city of Reno today, with all the other activity we have with mutual aid requests from our partners around the west with a interface fire that's happened multiple times this year in Washoe County, it depletes our on-duty resources rather quickly. What you end up having happen is rely on your mutual aid partners from your local jurisdiction to come in and assist you where and when needed. I can tell you today that based on both U.S. Fire Administration and the NIST studies that a majority of our organizations in the state of Nevada that this would apply to does not have the daily staffing available to fight a high rise fire without relying on your mutual aid partners. And especially in times like now where we're concerned about another recession or a depression, we're looking at brownouts in our local companies, we're looking at potentially down-staffing of paid professional fire department crews from four-person staffing to three-person staffing, you are going to run out of people quickly, you're going to run into fatigue quickly and it's firefighters that put our fires. We can have all the equipment on the fire ground, we can have all the safety codes in place and yet it's still people that are required to put the fire out, to overhaul the buildings, to provide a safe environment for those people to return to. For rescue as well. We understand that there's a housing crisis and shortage in the state of Nevada. But, at the end of the day, what this is about is safety for the residents, safety for the visitors and safety for your first responders and your firefighters.

Tray Palmer asked because we are a city over 100,000 and if we have to be as stringent as the currently, the international fire code, does that mean we have to adopt Chapter 11. Currently, the state amends the fire code, deleting Chapter 11 but if we cannot go by the state's amendments, then does that mean we have to adopt Chapter 11? Just for the group, Chapter 11 is basically making things retroactive to existing buildings.

Nate Hastings stated he could provide legal advice to the board and legal advice to the fire marshal but could not provide legal advice to any other entity that keeps its own council. The only thing I would just point out is, as it relates to the question that I brought up, I'm just saying that as of right now, there's language that appears to make it read that even if a charter city did adopt its own code that was as least as stringent as the IDC, there may be language in this draft as it reads now that would say they would have to also be as stringent as what was most recently adopted by the fire marshal and if the fire marshal is adopting a version that maintains the 55-foot rule, then that would seem to cancel out the intent behind this. That's something I would have to look at and research and have some more discussion on background information. I don't have a ready answer and wouldn't feel comfortable giving one kind of on the fly in a meeting like this.

Steve DiGiovanni stated he did believe there is a limitation on the ability of the government to adopt a retroactive ordinance. It's NRS 477.110. We have taken a couple of attacks when we adopt the IFC, it's either to adopt it and then say that we cannot enforce it until adoption by the state fire marshal and we've also deleted that chapter. Because our understanding is the conflict with 477.110.

Todd Ingalsbee stated he wanted the board and everybody to know we first brought this idea of this midrise, high rise back in 2017 legislative session. That bill did not move forward. We were instructed at that point that all the parties need to get together and have a meeting to see if we could come to a compromise to ensure the safety, not only of our firefighters, the men and women who are paid to protect our citizens, but to make sure our citizens are safe within the state. Because, the two go hand in hand and that's our priority as professional firefighters of Nevada. Because, we're not only responsible for our members safety but those citizens that we serve and the oath that we take when we get hired. We also were told the same thing last legislative session. My last meeting that I was involved in in this was in 2018. I find it concerning that we keep having these discussions on

firefighter safety but no one is willing to have a meeting and follow the directives that were given, even by the previous state fire marshal, Bart Chambers. I still don't understand why we're reducing the safety for our men and women who are responding to these fires and our citizens and we're putting our citizens in danger for the simple fact based on staffing-we all know where we're at in the south. We're browning out units every single day. We have mutual aid down there but we don't have enough trucks in the south to cover the high rises that we have right now. But yet, we're okay with building more high rises with less safety features. We in the city of Las Vegas just had our most deadliest fire in a three-story motel. We had six fatalities that had, that lacked fire safety devices in there because of the, how old that building was. I still just find it concerning that we're not having open discussions with all the parties involved on this matter and I don't think until we can do that, that this should be considered.

Kelli Baratti stated she would be very concerned about patchwork ordinances, patchwork statutes. Yes, political subdivisions aren't mirror imaging of each other yet you can come up with many examples where they are independent of their neighbor. But, in such a critical area as protection, as Tom and some of the other ones have so eloquently said, I just have a real concern about this. I would just say from my point of view that I don't think this is a good BDR. I don't think this is a good idea for the state of Nevada, our citizens or our visitors.

Mark Meranda stated he wanted to invite Majid and Kevin to bring this forward to our November 17 meeting for Nevada Organization of Building Officials so we can discuss it. I would like to open up this dialogue for the Nevada Organization of Building Officials whose main purpose is to address legislative issues on a statewide basis.

Dale Way stated the intent of this is developer driven, based on financials. Las Vegas, with the implementation of the midrise, this was done I believe before Mr. McOsker and generated by his predecessor [inaudible1:04:49] come to the city of Las Vegas. It's my understanding that with that the city of Las Vegas, with that change, has basically netted one project, one building which, when you look at the assessed evaluation which is what usually development is all about, [coughing] evaluation and when you look at fire protection, which is protecting the assessed evaluation of a building entity, that's pennies. Henderson also has had four projects that netted five buildings. So, that's like a couple of dollars in the assessed evaluation roles of each city versus what we're sacrificing and we're changing, especially for, again, our response personnel. In North Las Vegas when we maintained 55 feet in local 1607, the union was adamant in maintaining that. I go back to if this thing were studied and honest accurate analysis was developed and PFFN who represents the first responders across the state could see that and understand the code had caught up to a certain point, I think more people would get behind this. But, until that time can be done, can come, I think there's always going to be opposition and we've heard that from Todd in the fact that the last two legislatures the direction was everybody get together and talk about this. Still hasn't been done.

Chris McCubbins stated he wanted to go on record as saying that he was opposed to this [inaudible1:07:27].

8. MARIJUANA FACILITIES IN RURAL COUNTIES (Non-action item)

Albert Ruiz stated with the marijuana industry rapidly growing, so are the number of extraction facilities. Specifically, the ideas we're talking about is coming up with some kind of standardized set of policies that we can use statewide. It's just easier for the developers, contractors and everybody to be consistent throughout the state. The other idea we're talking about is to get more involved. By statute, in rural communities, currently NRS 477.030 doesn't necessarily give us authority in the rural communities. On occasion, these communities will come to us and ask us to be the authority, having jurisdiction on these types of facilities and we have gone through that process a number of times; however, it's not binding. We will go through the process of the planter view and list all the

requirements and we can't hold them to it. On one occasion specifically, one of the communities asked us to be their AHJ. We told them what the minimum requirements are and they chose to go a different route. By introducing a statute into NRS 477.030, it gives us a little more authority to make sure that the provisions of the applicable codes are followed through and carried through.

Jeffrey Buchanan asked if a rural community would be defined by population.

Mike Dzyak stated the pop cap counties are under 100,000 and some have local agreements, some don't but I think what Mr. Ruiz is saying is that 477.030 is real clear with where our jurisdiction is. A lot of these rural communities, they think well you're the state fire marshal so you're in charge of doing the plans for our Kwik-E Mart and our Dollar General and our gas station and that's not the case. Now, we will do them for them, especially when they don't have them but the statute doesn't require us to do them. Our concern is what we've seen with the trend with this and why we want to have this discussion is I don't really need anything more to do. I know this is happening and that these companies want to set up these extraction facilities and there's nothing in statute that says the state fire marshal will regulate these and will make sure that they get put in with the proper safety provisions. If not within NRS 477, I think we need to address it somewhere because somebody's going to get hurt eventually.

William Erlach stated being consistent with what we just talked about on the high rises, the board was stating that they'd like to see things done consistently across the state and I think we should try and keep that same theme with the marijuana facilities. He asked if there were some way we can accomplish a uniform inspection for marijuana facilities across the state without completely taxing your staff.

Mike Dzyak stated we've seen it, we know it's occurring and I feel like it's more important for us to address it and put that into 477.030 and just the processing facilities. When it comes to the sales facilities, we're not as concerned. I would recommend that we could have that entered into 477.030, just say marijuana processing facilities, marijuana, hemp, anything that's got an extraction issue creating combustible liquids.

9. PROBOARD CERTIFICATION (Non-action item)

Dennis Pinkerton stated this action item actually speaks for itself. We are not going to be able to move forward with the certification through proboard due to our funding and the state of affairs that Nevada's going through. Basically, we haven't spent any money yet and we can't do it in the future, in the near future.

10. SCHEDULE THE NEXT REGULAR MEETING OF THE NEVADA STATE BOARD OF FIRE SERVICE (Discussion/For Possible Action.)

Jeffrey Buchanan asked if there was the opportunity to be there in person or is it still the best financially for myself and others in southern Nevada to continue to participate virtually.

Mike Dzyak stated he had the funding. Next meeting tentatively scheduled for December 9, 2020.

11. PUBLIC COMMENT (Non-action Item)

There was no public comment.

12. ADJOURNMENT (Discussion/For Possible Action.)

Steve DiGiovanni motioned for adjournment. Jack Snyder seconded the motion. Meeting adjourned.