

MINUTES

Nevada State Board of Fire Services

June 22, 2023

1:00 p.m.

Location:

Elko Fire Station 2

725 Railroad Street, Elko, Nevada 89801

Board Members Present:

Kelli Baratti, Chair
Jayson Andrus
Mark "Pete" Briant
Stephen DiGiovanni (via telephone)
Chief Mike Dzyak
Thomas McCleister (via telephone)
William Snyder, Jr.
Dale Way

Board Members Not Present:

Kacey KC
Nicholas "Nick" Moriarty

Others Present:

Connie Etchison - Executive Assistant, State Fire Marshal Division
Joe Rodriguez - State Fire Marshal Division
Dennis Pinkerton - State Fire Marshal Division
Mike Heidemann – Nevada State Fire Fighters Association
Rich McKnight – State Fire Marshal Division
Sean Stratton – State Fire Marshal Division
Peter Mulvihill - Fire Show West
Jeff Buchanan – Nevada Fire Chiefs Association
Sarah Dzyak – Private Citizen
Scott Etchison – Private Citizen
Jason Nicholl - Fire Chief, North Lyon County Fire Protection District
Danyelle Keller - Firefighter, Carlin Volunteer Fire Department
Linda Bingaman - Fire Chief, Carlin Volunteer Fire Department
Ross Rivera - Ely Volunteer Fire Department
Bobbie Sullivan - State Emergency Medical System (EMS)
Travis Peterson - Nevada Gold
Lynn Nielson, City of Henderson (via telephone)
Nathan Hastings, Deputy Attorney General (via telephone)

1. **CALL TO ORDER** (Non-Action Item.)

The meeting was called to order at 1:00 p.m. by Kelli Baratti.

2. **VERIFICATION OF NOTICE OF COMPLIANCE WITH OPEN MEETING LAW**
(Non-Action Item.)
Connie Etchison verified notice of compliance with the open meeting law.
3. **ROLL CALL AND INTRODUCTIONS** (Non-Action Item.)
Connie Etchison called roll. Eight (8) board members were present. A quorum was established.
4. **PUBLIC COMMENT** (Non-Action Item.)
There were no public comments.
5. **APPROVAL OF THE February 8, 2023, MEETING MINUTES** (Discussion/For Possible Action.)
Pete Briant motioned to approve the minutes and Dale Way seconded. Motion carried.
6. **WELCOMING OF NEW BOARD MEMBERS** (Non-action item)
Kelli Baratti noted they have a new board member. This is Chief Jayson Andrus from Mesquite. If you want to say hello to everybody and give them a little bit of background.

Jayson Andrus stated it was nice to be here with you. I appreciate the opportunity to be on the Board. I've been in Mesquite as the Fire Chief for the last five and a half years. Excited to participate and be an active member. Being part of Clark County, we are not one of the 800 person departments. And so, I love being down there and who I work with, but I think we have a lot in common as I spent seven hours driving through Nevada yesterday. The city of Mesquite is more of the rural setting and so I hope that with relationships built with the valley Chiefs and across the state as well as being part of a rural community, I'm looking forward to just giving that perspective and hopefully working to represent their challenges and concerns that are facing our industry which are changing daily.

Kelli Baratti welcomed him. I am so thrilled that you agreed to take this on. I think you bring a unique perspective and I think the Board will benefit from you being here. So, thank you so much for doing that.

7. **ADMINISTRATIVE CITATIONS AND FINES. NRS 477.240 Administrative citation: Issuance; substance; compliance; administrative fines, sanctions, criminal penalty.** (Non-action item)
Kelli Baratti moved to item number seven. I was asked to submit this agenda item. I feel kind of bad because today is my last meeting. I term limit out after eight years and I'm dropping this ball on you guys, so have fun. Administrative citations and fines NRS 477.240 Administrative citation: Issuance; substance; compliance; administrative fines; sanctions; criminal penalty. Lieutenant Rodriguez, Dennis Pinkerton, and Mike Heidemann all have some information about this agenda item. It's open for discussion today. No action will be taken. This apparently is something that has been in statute that the Board was required to do that I'm sure with all the other big topics that come before the Board, it's just been overlooked. So, I don't

know which one of you wants to start. Mike? If you would open the door and then if you guys could chime in.

Mike Heidemann stated this is something that has been kind of on the back burner for quite a while in regard to fire training, and particularly in rural areas. And in regard to NAC 477.2835 that talks about using 1403 on any live burns and a minimum requirement of Instructor II to oversee those burns. Dennis and I have been talking about this for quite some time and how do we enforce that. And a little background for me is that I spend a lot of time in the rural areas as most of you are well aware of. And I think part of it is an educational piece that people don't know they have to do this. I try to educate them of what they should be doing with live burns. And the other piece is sometimes you run up against, you can't tell us what to do and we don't have to do that. So, being that I want to be correct when I speak on the subject, we really don't have an answer on the enforcement, the penalty phase of it, because there are administrative pieces of it. And as you cross-reference it to the 477s, there are potential criminal violations for knowingly not following these. I brought it up to Dennis and we talked about it and said, let's clear it up. That's kind of why it's on this agenda. Joe and I spoke about it a little bit on the administrative side, and he's better to talk about that than I am.

Joe Rodriguez stated as far as the fines go, I know this one that's been in place, but if you look at the NAC, this is targeted more at the fire codes, like tagging people operating without or doing fire specialists without license certification and things like that. It's not really aimed at kind of like the mindset of Mike here is talking about. As far as the administrative fines go, we've been doing it through criminal citations. We've come across and do regulatory investigations. It's just hard because we don't have the mechanisms in place to have the Calgary funding to accept administrative fines. So, going fee based with the session, change administration as far as our new Fire Marshal, it's just that it's been something that we're now, after session, we can look at addressing and talking with our DAG. There's a lot of things that are going place as far as having that legal stuff because someone writing us a \$10,000 check after we did an investigation on them and charged them administrative fines. There's legal stuff to be looked at. There's something that I know that Chief Dzyak and I have talked about along with Sergeant Martin. He's our Bureau Chief for investigations. It's just going to be a lot of work. It's something that we're open to doing, also pending that's the direction of the Board and our Chief guides us. So, a lot of pieces have got to be implemented to make that happen.

Dennis Pinkerton stated the history of this is the rule, if we say, that the Fire Service Instructor II being on live burn on minimum came early in the 2000s. We had a few agencies out there that were burning trailers that actually got hurt. And so there was a Board member that brought it to the Board and you guys pushed it forward and it got in the NAC. So that's the history of that specific rule.

Mike Dzyak stated he would like to re-emphasize what Lieutenant Rodriguez said. This was set up for the regulations. That doesn't mean it can't be. We have to work with our DAG if that's the direction the Board would like the State Fire Marshal Division to go on. And I want to just make sure everyone understands that this is going to be across the board. If this were to happen, the Nevada Administrative Code (NAC) would have to be changed because it would have to be added to the currently

existing fines. Everybody that supports this has to know that if your fire department gets hung up on this, this is how it's going to go. This is going to be applied directly throughout the state. There's not going to be exemptions. There's not going to be, "well, they didn't know" or, you know. So, I really want the Board to consider everybody's inclusion in this before you guys decide whether you want us to continue. And it makes sense that the Fire Marshal Division, in my opinion, would lead this just because the regulations exist there, but with direction from the Fire Service and then support from the Fire Service if we are to get something together and put it into NAC when in those workshops, we would expect a lot of participation from the Fire Service because this is something we're being asked to do. This is not the State Fire Marshal reaching out to try to do this. So, is it possible? Yes. Is it going to be difficult? A little bit, but we're getting good. Joe and Al have been getting great at running us through the code adoptions and through the NAC hearing. So, it's doable. Make sure it's what you want. Think about it, talk about it. That's my opinion.

Kelli Baratti stated, again, this is not an action item, but just my two cents, I would encourage the Board to reach out to the various fire organizations, Fire Chiefs, NSFA, PFFN, and decide if this is in statute. So, decide if, like what Lieutenant Rodriguez said, this may already be being met in a different way. I would think you would need to determine, does this statute even still need to exist? If you decide that it does need to exist, that the criminal side of it isn't meeting the intent of the administrative citation, then in working with those professional organizations representing Nevada's Fire Service, what does this need to look like? What do you want the regulations to say as part of that adoption process? You have at least two, like open comment periods that you get to solicit information and then you can decide what you want to do from there. But you may need to initially decide whether this is something that is even still relevant, and I have no idea. So, that's my two cents.

Mike Dzyak stated the other part of that is that the State Fire Marshal Division did just go completely self-funded. So, the act of these funds, when we were general funds, if an administrative fund was put in place, if it was secured, it washed back into the general fund. We have to make sure that's not what happens here. These funds, now that we're fee-based, would stay with the Fire Marshal Division, which my discussion with the DAG means we need to specifically write that into the regulation and into the statute. We'd have to change that, which we probably going to do anyway based on even the regulatory side of it, but we'll have to take that into consideration.

Kelli Baratti asked if there were any thoughts, comments from the Board.

Dale Way stated if I'm understanding this correctly, the thought or someone has brought forward the desire to see if we want to impose this on training incidents for fire departments specifically.

Mike Dzyak answered yes.

Mike Heidemann stated it's already in there under NAC, okay, that says that we will follow 1403, we have a General Fire Instructor II on site, and it's adopted in the NFPA standard 1041, which is referenced in the statute. So, it's there, but in my world of being out and about, you explain to people that you need to do this, and they either

didn't know and are following it or the flip side of it is, nobody's watching this and we don't care and then somebody gets hurt. Now the investigation is on. So, what's the mechanism for, one, educating, which is the most important. And two, if you're just going to flat blatantly not follow codes and regulations, how do you get that across to them? A lot of times it just has to be some type of penalty. But it's frustrating to talk about things and go, yeah, nobody's watching this anyway, right? That's truly not the case.

Dale Way stated, since he's in the room, he thought he would like to hear from Pete Mulvihill on this. This was done during his administration.

Pete Mulvihill stated he was a retired State Fire Marshal from a number of years ago. I think it was the 2013 legislative session, the bill did get passed and signed by the Governor allowing for administrative fines for violation of Chapter 477 of the NAC. The main interest at that time was dealing with contractor licensing and individuals holding the C of R's because at that time, the only options available on the licensing front if somebody did something wrong was to slap their wrist, send them a nasty-gram or permanently revoke their license for life. And there was no middle ground, so the statute allowed for middle ground. And it was written to apply to violations of any chapter, any section rather, Chapter 477. The first big fight that we took out of implementing that way back then dealt with the contractor licensing and the individual C of R because that was a huge piece. So, there probably was more that you could do under the existing statute. I would defer to your DAG and their legal advice because I'm a retired engineer and not a lawyer, but it's there and it's the direction of the Board. The regulation for the fine by statute has to be done by the Board. And that was intentional so that it wasn't the State Fire Marshal, whoever it was at that time or now, gets to write his own list of fines. He's not able to do that. It's something that this Board here, if they want to go forward with it, will have to be the lead on that. Obviously, with the Divisions in guidance. Does that help with your question?

Dale Way stated sort of.

Pete Mulvihill asked if there were any questions from anyone else.

Kelli Baratti asked if anyone on the phone had any comments or questions.

Pete Mulvihill stated if they were doing legal research on it, to let him know.

Nathan Hastings joined the call.

Pete Mulvihill stated if they are doing any research on it, the legislative intent that was embodied in the different committee hearings on it is available for the record. It was promised to the legislators that the State Fire Marshal would not become a new version of OSHA. We weren't out there to make money off the fines. We were using fines as a learning tool, a deterrent, a learning tool, an incentive to not do the wrong thing. That was the key to this story. And I will say my personal observation once it was put in place is that the contractor industry and the individuals in that industry did shape up. They cleaned up their act. They self-policed themselves. They started self-reporting violations. And under the theory that if you tell me you did something wrong, and you're telling me how you're fixing it. I think it was very successful.

Kelli Baratti stated it was helpful to have that insight. Thank you.

Pete Mulvihill stated it was 10 years ago, so I don't think anybody here was on the Board when Chief Fogerson was the Chair at the time and I have to promise him it was all a discussion.

Kelli Baratti asked if there were any other questions or comments from the Board here in Elko.

Joe Rodriguez stated he wanted to emphasize that this is the direction we do go, I will say we need time to look at implementing mechanisms to accept these fines through our Division because we have different funding streams and this is not one of them. And so, we'll just need to be able to make a funding stream to receive these and outline what these funds for. So, obviously LCB, things like that, we'll want to know what the State Fire Marshal does with this money. And, again, the regulatory side, unfortunately, it's just the practice that we just do it criminally, the fines are less and now seem to serve fractions -- infractions so, it's not even a similar crime. So, I just want to put that out there on the record.

Kelli Baratti asked if any Board Member in the South had any questions or comments. There were none. She stated that was good discussion and we'll take it going forward.

8. **CITY OF HENDERSON - LYNN NIELSON** (Non-action item)

Kelli Baratti moved to item number eight, City of Henderson, Lynn Nielson to discuss water conservation measures in the City of Henderson.

Lynn Nielson stated thanked them for letting him take a few moments of the Board's time to talk about water conservation and the need for water conservation here in the city of Henderson. As you are all likely aware, we are under a severe drought, still here in Southern Nevada. The Colorado River has been continuing to drop in the amount of water that's coming down the Colorado River, which is dropping the amount of water that Lake Mead is receiving, which impacts all of us because for the most part, our water does come out of Lake Mead. And because of that the Southern Nevada Water Authority and the Las Vegas Valley Water District, which the City of Henderson is part of the Southern Nevada Water Authority, have taken steps to reduce water usage including taking a look holistically at where are we currently using water and where can we save water so that we can reduce the effect of the drought on Southern Nevada. For those of you that may not be aware, in Southern Nevada, the water that goes into our sewer system gets treated and gets released back out to Lake Mead. And when that water goes back out to Lake Mead, we actually get credit for that water to pull that much more water back out of Lake Mead. In other words, it's called return flow credits, if you're not aware. And so, for us, it's important that we make sure that as much water as we can in Southern Nevada, make it to the sanitary sewers so that it can get treated, so that we can get that credit because we only have a small amount that we can pull out of the lake in the first place. So how does that have to work in with respect to fire protection systems and with respect to the item that I've sent you? What I gave you is a document that was put together by the city of Henderson, by our Division and our Department directly in response to a request

from our Fire Chief and from our Utilities Director wherein they ask us to take a look holistically at where is water being used by fire systems and where can we possibly look to make changes that will make an impact on the amount of water that we are expending from Lake Mead that doesn't make it back to Lake Mead. And so that document that you have in front of you has two different Phases to it. Phase Two, which is the easy part really in my mind, we're going to be making changes to our fire code to require recapturing water with respect to new and existing buildings, with respect to also testing of fire hydrants and anything where water is just openly spilled on the ground, doing what we can to recapture that, that's the easy part. That part really doesn't even require much in the sense of the Board just being aware that we're looking to do this. The part and the reason I brought it to the State and to our State Fire Marshal, is because Phase One directly impacts the requirements that are found specifically in NFPA 13 and NFPA 25. The changes that we're proposing in Phase One would reduce the amount of water that NFPA 13 and NFPA 25 would have us expand and use, and by making these changes we would be using less water. And in fact, in each item you'll see what our staff has put together as our best estimate on how much water is expended when a particular test is done and exactly our estimated duration for how long that test will typically go on. And so, it's fairly easy to go through that and figure out how many gallons we're talking about saving from these measures here. However, if these measures are implemented and we would like to implement them, but we're not going to do so until we do this process we're doing with the Board now and then we work out with the State Fire Marshal whether it needs to become really not too different than what we did during COVID where we allowed testing periods to be expanded so that folks were not able, you know, didn't have to send their staff into buildings where people with COVID might be so that their staff didn't get sick and we expanded those testing periods for that duration of time that COVID was going on. What Chief Dzyak and I have talked about just briefly, just conceptually, is something like that, that once this drought is over, which hopefully it will be over some day, then these phased-in requirements, Phase One and Phase Two, can go away. So, without going through each one of these in great detail, and hopefully you've all had a chance to just a glance at it and get an idea of what we're looking to do. This is the City of Henderson's approach and Chief Dzyak did ask me to just elaborate briefly on whether this was a Henderson-specific request or a regional request. This currently is a Henderson-specific request. The reason why is we are our own water authority. We are our own water purveyor, and we are responsible for the water that we pull out of Lake Mead, that we put back into Lake Mead. And my Utilities Director and Fire Chief have asked me specifically to see what I can do to lessen the water demand that we have and that's why we've done this. And I'm here to answer any questions and I know there's no action, but I'm here to answer any questions that you may have.

Kelli Baratti thanked him for the handout. It makes it nice to see what you're talking about in detail. Any questions or comments from Board members here in Elko?

Mark Briant stated he had a clarifying question on the recapture. So, the sewer system is part of the recapture, but the storm drain, it just goes and it's away and that's what we're trying to get away from, right?

Lynn Nielson stated yes, that is correct. In the city of Henderson, the only time we can get those recapture credits is when it goes through the sanitary sewer system. So, that is accurate.

Kelli Baratti asked if there was anyone else here in Elko.

Dale Way asked if we were to even consider Phase One, Phase Two looks like it's obviously easier to accomplish during new construction, but how are they going to do that in existing buildings?

Lynn Nelson stated with respect to existing buildings, we're not looking to make these requirements in Phase Two retroactive, Dale. I think that would be cost prohibitive for the owners to take that cost upon themselves. So new construction, yes, absolutely, easy to do. With respect to testing and recapturing that testing water, particularly hydrants in phase two, that's easy to do. I've already spoken to a couple of hydrant maintenance companies, and they said using tanker trucks, they'll be able to use flow monsters and whatnot and just flow directly into that tanker truck then take it to our utilities department who is setting up a location, a couple of them in the city, where they can take the water and discharge it directly into the sanitary sewer. So, to answer your question, Dale, existing buildings not going to be possible to retroactively require this. New buildings, very easy to do. So, Phase Two particularly will apply to new, not so much existing, except for like hydrants.

Dale Way stated just stay on that plan because it does say in there, permanent solutions to recapture test water for new and existing buildings on that Phase Two page. Also, I think I have one other question with regards to the potential for if Phase One was considered. As I know it now in the industry, all contractors, I would have to say probably across the state, but for certain in the Las Vegas Valley, all contractors are not flowing on every test that they do. They may state that they do, but given the numbers you've shown, I would just multiply that across jurisdictions. And like I say, I've known that the amount of water that could be flown is not, generally speaking, actually being flown all the time for all of their testing. And I don't want to say exaggerated because I think it's exact, Lynn, that what would be done estimating on those systems. Like I said, I could easily apply what you guys have done and say, North Las Vegas probably has the same or relatively closely same number of systems. Just multiply it by four or five for Clark County and three or four for Las Vegas. And that becomes the, you know, theoretical water usage in the Las Vegas Valley from those systems. I don't believe that that's really ever occurred, but I think the recapturing for the future is definitely something that needs to be considered.

Jayson Andrus asked if Henderson is fire testing hydrants 12 months a year or allowing the companies to come in and test hydrants 12 months a year or is it only during winter months.

Lynn Nielson stated they actually test throughout the year on hydrants, public and private hydrants both. Our public hydrants are tested by our public works hydrant maintenance crew and they test year-round. Our testing of private hydrants is year-round. We get those reports every month from the private hydrant maintenance companies and they test year-round down here.

Jayson Andrus stated he knew that could be a challenge with workload restricting during the summer months when water usage is already up for irrigation, landscaping, but maybe something to consider that the hydrant testing only be performed some other time other than the summer, especially in Southern Nevada where the water use already skyrockets during those times.

Lynn Nielson stated he appreciated that. Again, the main focus here is on capturing that water and then dumping it into a sanitary sewer. And as long as we do that anytime during the year, we get those return flow credits credited to future water we can bring up.

Kelli Baratti asked if any Board members on the phone had questions or comments for Lynn.

Mike Dzyak stated, in speaking with the Director of Public Safety, Director George Togliatti, reached out to the Governor's office to let him know this was something that was coming. The Governor's office is very, very concerned about any lessening from the national standards, varies from national standards. So, I was directed to submit the minutes from this meeting to his office for review to see what -- they want to make sure to see what the Fire Service does have to say. So, it's really important that in this discussion you speak up, that your proponent, you have concerns because this is not going to be in all likelihood a State Fire Marshal decision without the approval of the Governor who controls the Executive Branch so, just wanted to let you guys know that he's got his hearing on to this one.

Dale Way stated same concerns, I haven't expressed that yet, but this is the requirements of a national standard and they are the minimum requirements of a national standard. And so, I think for us to lessen that in any regard could be considered careless, especially as I was about to also mention the other potential issues with not performing these tests as outlined. What is the additional possibility of MIC which is a problem in systems in Southern Nevada. I know I've experienced it. I know every jurisdiction, at least that I was aware of in Southern Nevada, experienced it and by lessening those we're probably even less likely to discover those issues and correct them.

Stephen DiGiovanni stated he spoke with Lynn and also previously when you brought it to the Board pretty much the same proposal as he has here that we were not looking at adopting these same regulations for Clark County. We had talked to our water district that they were not asking us to look at it and so, I was, I guess, pleased maybe to hear that Lynn made it clear that this was a city of Henderson item and request. And at that point, in my view, it's kind of how the Board is going to look at it, but there are concerns just from a Board perspective about, I don't think that a five-year span for main drain tests is appropriate when you have the amount of work and construction that we have here locally, so that's one item. And if you go down, there's probably a couple other items that are concerns. Certainly, fire pumps are a big concern for us right now and having any changes to fire pump flow would be an issue. Once again, it is Henderson as a city doing it for their own area, but I just wanted to state that we, in county, we're certainly not in support and not in agreement, but we're not looking at doing anything similar. Thank you.

Kelli Baratti thanked him for those comments. She asked if there were any last comments, questions from the Board here in Elko. There were none. She asked if there were any from the folks on the phone and there were none.

9. **STATE FIRE MARSHAL ADVISORY REPORT - CHIEF MIKE DZYAK** (Non-action item)

Kelli Baratti moved to item agenda number nine, the State Fire Marshal's advisory report.

Mike Dzyak stated the legislature is finally over. Nothing passed that negatively affected the Division. So, we're very pleased. And like every Fire Marshal before me, when legislative session is over, that's always a time to celebrate. We've received legislative approval for two more inspectors in Las Vegas and an Administrative Assistant III for Carson City to be dedicated to investigations. And we were encouraged by the committee to utilize our reserves which we now have as being self-funded to increase staff as that funding becomes available and stabilizes. With that, we were granted, really, it was a shock to me, but we were granted. Usually it's a 60- or 90-day reserve, operating reserve. We were granted a 120-day reserve based on the first of our funding streams coming in around the October time, the first stable one. So they let us go -- that means we can carry all that cash, 120 days of operating cash as a reserve. Now our fiscal reserve projected for, well, July 1st will be \$1.5 million. That's how we will start the next fiscal year. That's how we will cover all the funding streams. There's a huge win. We are projected in the next fiscal year for that reserve to be over \$2 million. We're really sitting in a great place financially to be able to utilize staff. We were encouraged. They said they don't want to sit in on this reserve and building this thing up. They want us to use it and I want to use it to get more people, to get more investigators, inspectors, office staff, so we can do all those things that we need to be doing. We need to inspect all those places. We need to get plan review turnaround time under 10 days. We need to improve on our licensing program and this is a way for us to do it and we are well on our way to be able to afford things like the fire training trailer, the live fire trailer, things like that. Long-term fiscal goal is for me to reopen the Elko office to some extent. That is lofty, but I think with the way our funding streams are looking right now, it's doable that we could get an investigator and an inspector up here and reopen the office and put our footprint back in Elko County. It was not an easy decision to close Elko, but we didn't have anyone. And you can't train anyone when you only have one person there. There's no person to train that person and with the distances, it couldn't be done at Carson City. We're going to work on that, and if we're able to get the funding to secure the building and the office staff to back that, then that's where we want to go with it. So that's our plan to utilize those reserves. We have a new accelerant K9 Charlie that started with the Division under Investigator Rischbieter, will be out of the Carson office. I'd like to remind anyone that wasn't here last time that Charlie is not only an accelerant dog, Charlie's a wildland dog. He can sniff out and hit on mosquito coils, bromine and brake fluid, fireworks, gunfire. He can rule out a lot of those fires that we just didn't have because either the area of origin was so torn up. Well, now if there was a device there, even if it's torn up, there's a good chance Charlie can find it. This is our response to the serial arsons that we've seen over the years up here, Winnemucca and all-over rural Nevada. So, Charlie's going to help see if we can make it so we're not five fires into this before we realize we got a torch and a problem. We're going to catch them, start seeing that on the first thing, then we know where to

set up our game cams and start how we're going to catch these guys. We were just approved by the SERC funding committee for a grant for another accelerant K9 and he'll be trained the same way. He'll go to Southern Nevada. Officer Scott Brickey will be the handler for that. We'll have a dog in the North and the South. One day we were hoping that dogs are just a part of every investigator, State Fire Marshal investigator. It's a tool. Welcome to the Division, pass your year probation, here's your dog, go out, catch bad people. That's our goal. Charlie was actually deployed on the last triple fatal, unfortunately, two children and an adult female perished in a fire in Fallon and Charlie's first fire out and he did exceptional. He didn't hit on anything. They took him out, recalibrated and brought him back in, did exactly what he was supposed to do and that's not hit on things that aren't there. And so I'm really excited to have him. We'll do the official PIO meet and greet. We're just trying to make sure he's working out first and so far he's doing great. State Fire Marshal Public Safety Day for 2022, we did it in Fernley, Nevada. This was our attempt to get away from the NFPA poster contest, which just went away every year. We got less and less participation and it cost the Division about \$9,000 a year and we just weren't seeing the return. What we're going to do is we're going to hold an event once a year in a different location throughout Nevada. So, starting in Fernley, it was close enough to home that we could figure out what these things were going to cost us, that we didn't have to pay for hotel rooms, there wasn't a lot of mileage. So this year, I'm happy to say that we are bringing it to Winnemucca on October 7th at Vesco Park. We have the large propane prop trailer and the public was just amazed by this, the heat it was putting off. Huge participation, we figured between four or five hundred people. We had free hot dogs, chips, and water. We completed the firefighter training so we were able to actually train firefighters during this. So, the public got to see their community firefighters doing their jobs and training on a real-world level that we don't normally get. And it was huge for them. The heat coming off this, it sounds like a freight train. It's scary, you know, the kids were like, whoa! We had helicopters and many thought this was just awesome, and it truly was. And we're able to train while we're doing it. Where's two birds, one stone? That's value. We got Care Flight and National Guard bringing out their birds. We had Sparky out there in the trailer. We're giving out our hats and being out there with the community. And Smokey was there, too. We smoked the trailer out, brought Sparky out and it's always a good time. The locals brought their vehicles out, other agencies, law enforcement, fire, medical, anybody. We opened this to all of the businesses. Said, here, you got a tent, you got a 15x15 space to put your tent up and sell your products, give stuff out, give out information, whatever you wanted to do. Our staff comes out and works and all the stuff that makes it go to bring this around. So, Winnemucca is our next step so we can bring it to places like Elko, we can bring it to Ely, we can bring it to West Wendover, we bring it to Pahrump, those rural areas that we serve that are not metropolitan specific areas that have access to a lot of these. National Night Out has become a thing but we want to bring it to a different location every year. So, in closing, I just wanted to talk about that, our presence in the Rurals. Our plan reviews have gotten their time from 45 days to 11 days with the moves we've made and the staff that we've added and we're really pleased. We're going to get it under 10 days. I'd like to see a 5-day turnaround on all plans just to keep businesses going, keep things moving. And I don't think it's really going to cost us that much more to get there. They've done over 170 inspections year to date and 440 plans reviewed. So, these guys are just working and getting it done. We're accepting the Blue Beam and the electronic plan submittals now. So everything's getting more advanced, more

high tech. 12-month period from this time last year, 2,118 investigative hours for fire investigators in rural Nevada. This is just rural Nevada. This isn't us getting asked to go out to the apartment complex in Clark County. This is just that. Forty non-fire rural assists. So those are our crashes, reckless drivers, outside agency assists. Sixty fires done in the rural. One explosion case that have four critical injuries. Of those sixty, we have five arrests, three convictions, and two pending. And of those sixty fires, seven were fatals with five adults and two juveniles. So, that is what we have been focusing on throughout Nevada and the places that don't have the ability to conduct those investigations on that level, these guys are bringing it to them. And again, with the additions of the dogs, I really have high hopes for what we're doing.

10. STATE FIRE MARSHAL DIVISION TRAINING ADVISORY REPORT - DENNIS PINKERTON (Non-action item)

Dennis Pinkerton stated he would like to just thank the Nevada Chiefs for the kind words during our legislative session. They're really nice to the training certification staff. And I'd like to thank them for recognizing how quickly we turn around our certification process. It was really a good thing to hear because these guys behind me work really hard to try to do that. Since your February 8, 2023 meeting, staff administered 268 awareness tests or materials awareness tests, 250 people passed. Staff administered 235 operation tests, 210 have passed. Other certification levels, written tests, 937 since February 8th, 835 passed. The skills, 94 were administered and all of those have passed. These guys behind me sent out 1,500 testing materials. Separate packets, it's amazing that these training folks that are at the Fire Department did a fantastic work. The pass-fail ratio has been amazing. It's down to 7 to 8 percent. It's a good job for the trainers. Fantastic, guys. The State Fire Marshal team conducted the on-site hazardous materials and hazardous materials awareness and operation testing for Clark County, April 11th and 14th. And they administered 142 written and skills tests. So these guys went down there and helped them. The State Fire Marshal team, on-site firefighter one skills evaluation test at Clark County. We have a live fire prop. We took that down there and we actually used that fire prop to help evaluate 72 people. This academy is probably the largest academy in the State of Nevada, 72 people. The State Fire Marshal team had a live fire training with our new Draeger live fire trainer at North Lyon recently and we had 30 personnel, 26 from North Lyon, 4 from Pyramid and the next, in May, we went to Fallon and we had 16 folks from Fallon, 4 from the Fallon Naval Air Station and 2 from Lovelock Volunteer, which were awesome. The FEMA SAFER grant is working. We have a recruitment and retention coordinator, the responsibility to manage the grants, providing the reports, and adhering to our report guidelines. Good job. The recent and ongoing events, the National Fire Academy's Fire Incident Safety Officer in Mason Valley was accomplished. Also, we had one in the same in Clark County and Elko. They have, the National Fire Academy Campus Fire and Safety for the University of Nevada, Las Vegas Risk Management, and that went over fantastic. And of course, we're here at the NSFA conference. Are there any questions? I think I went pretty fast.

Kelli Baratti asked if there were any questions or comments from the Board.

Jayson Andrus stated he wanted to echo your first few statements of the turnaround time for certification testing. Your team has been phenomenal. I just want to thank you.

Mike Dzyak stated he would also like to thank Sean Stratton, who's in the room. Not that everyone in the Training Division isn't rock stars, but Sean went out of his way, got a CDL. We put him through the school so he can drive those trailers. We have two giant trailers and Sean hitches them up. He deals with the problems on the road. I'm shocked, you know, a new \$100,000.00 semi had problems, but we do. We have them and Sean has been taking care of those and I'd like to just recognize him on the record for that because I don't know that everybody wants to do that. Everybody wants to go get a CDL. Everyone wants liability of rolling giant trailers around, but that's the mission. Sean recognized that and this is the Training Division putting that training on throughout the state, not a static location, and that's what's important.

Sean Stratton stated, as a lot of you know, we've transitioned to the Nevada Impact for where you can go request testing, also see where certifications are. You can look up your own certifications. And currently, right now on our database, we have 21,088 personnel in our database. And right now we've had over 1,043 unique logins. So that's people that have logged in and actually have looked at their profiles. This also lets us know that since we've been keeping track, year to date certifications so far were 1,348. Since the life of this, we've got well over 30,274 certifications in our database. We encourage everybody to get into it. If you don't have access, reach out to us and we'll be more than happy to get you in there. And we're still working some bugs out of it and making it more user friendly between Rich and I. So, hopefully it'll be a database that will be lasting for years to come.

Richard McKnight stated their past records, they had 16 file cabinets in the office with files all the way back to 1993, I think. And now our contractor in the office has everything digital. It's all loaded up for us. We have 30,000 certifications now within the computer.

Mike Dzyak stated next week will be file cabinet removal day for the State Fire Marshal Division.

Kelli Baratti stated that was amazing information, you guys, as somebody who had to deal with firefighters and their certifications and stuff. I remember those file days and trying to find our records and my records. And so, good work. Any comments or questions from the folks on the phone? Hearing none.

11. NEVADA STATE FIREFIGHTER'S ASSOCIATION ADVISORY REPORT - MIKE HEIDEMANN (Non-action Item)

Mike Heidemann stated it sounds like it's Oscar night for the Training Division. I too have to echo that. I've always had a very good rapport with the entire State Fire Marshal's Office, the Training Division, but never more robust than it is now with the install of the Nevada Impact. We're getting information out. I'll send it in. Now it's blasted all over the place. I've been able to call Dennis and I got a question on with the Fire Chief and he doesn't know if Firefighter B has a certificate looked up in two minutes. I guess if we look that up he has this, and this thing. So, that's really good

for me as I travel around. And traveling around, we kind of touch on the SAFER thing a little bit because it's crossing streams quite regularly now. The SAFER grant was to, one, pay for the AD&D policy for all of the volunteers in the state. Second, need to reimburse new recruit physicals to the tune of \$400 per physical for new volunteers and \$2,000 per set of turnouts for new volunteers, retro to October of 2022. This is a four-year grant. So, along those lines, my goal is to wear lots of hats during this, including the NSFA hat, Fire Marshal hat, Chief's hat, Fire Shows West hat, and present the programs that we have around the state. We're also asking for rosters. Sean brought that up of all the fire departments so that they can have that currently cross-checked with their system. We have built a survey and I'd be honest with you, they don't come back real good until I go out and sit with the Chief. And then I get them, and my goal is to sit with each Chief sometime once a year for the next four years and go over this. We need your contact information, we need your Training Officer, what would you like to see, what aren't you getting, do you participate in Fire Shows West and all that. That's a really well-rounded program that we're kind of going lengths to take advantage of some funding, I guess you might say. We're involved with NSFA and Fire Shows West. We're kind of the hands-on people helping out the Fire Shows West program. Next year's conference, of course this one's going on again with what you see the participation from Fire Marshal's office and our vendors is better than it has been in years. We've been working really hard on that. Working with which ensures most of the rural counties is developed at what they call their "Fire Excellence Program". They talk about training and following regulations and I guess the bone for that is like you talked about, Joe, we're not telling you have to do this, but if you do, you're going to get a break in your insurance premiums, right? That's the carrot, just like the fines are the carrot. I just talked to Marshal Smith this morning over at the conference and he's ready to give us that to roll out as we talk to these fire departments also. And then the thing we have coming up down the road is legislative for the next session. I know we just got done with this one. We had talked before about trying to get the workers comp increased for the volunteers because as you're aware there's a ghost wage -- fictitious wage or you want to call it, of \$2,000 a month that was created back in 1991. And as the wages have gone up in the career side, the volunteer side never has moved. So, you know, the career side has gone to something like a \$6,400 number for the benefit, volunteers have never moved. That wage was created for them based on 75% of the career wage. That when that bill passed back in '91. So, we've done the homework on that, know where we think it should be, and we thought we would be able to have an amendment if the workers comp got opened up this year. The legislature did not, so we stayed silent. We will have a bill. I've identified a sponsor for that bill next year to go with that. And the other thing that we're looking at doing, and this comes back into our relationship with the Training Division, we have a lot of interest in mine rescue teams wanting training. A huge presence at the conference this year. This is a discussion I guess, at this point, but to be able to get certification for their training. Because right now, and Dennis, correct me if I'm wrong, you don't have the avenue to issue a cert from the Fire Marshal's Office unless that particular mine rescue member is a member of a volunteer fire department.

Dennis Pinkerton stated he was correct.

Mike Heidemann stated but these mine rescue brigades by NAC are to follow the minimum standard as adopted and we can do all that mumbo-jumbo later. So it

makes perfect sense that these guys have the ability to get these certifications. So when they're running mutual aid with their rural departments, it's apples to apples, the training to the training. And so that's something I would like to see develop some type of avenue, whether it be a bill draft request or an NAC workshop or however you think that should be addressed and move forward with them because they're not going away. They love to train and at the risk of offending some people I would wager to say their training programs and record keeping are better than a lot of the volunteer fire departments that we deal with in the first place because of their oversight. So, that's my report. I'm happy to answer any questions from anybody.

Kelli Baratti asked when the next NSFA conference is.

Mike Heidemann stated, as you're well aware, always the week after Father's Day. It looks like Lovelock is going to put in for it, and that's the only one that I know of at this point.

Kelli Baratti asked if there were any comments from any Board members on the phone or any comments or questions for Mike from any of the Board members here.

Mike Heidemann stated, just a little feedback if you think this is something for me to spend time pursuing the certification process. How does this board feel about that? Is that something that you would entertain or am I spinning my wheel?

Mike Dzyak stated this was the first he'd heard of it. I'll talk to Dennis to see if that's a road we can go down. I'm never against certifying people. We need to understand where it came from, the draft language that says you have to be in a professional or volunteer fire department in order to obtain certification, State Fire Marshal certification. I don't know how that got there. We'd have to research that. We go back to the NACs, Joe. You know, to me training is training. I don't know how that got there, Dennis.

Dennis Pinkerton stated he was piggybacking on Mike and the Chief. It's public entities that we're supposed to be certified. We can't use public money to train private companies.

Mike Dzyak stated they could charge fees for them to do that because we're fee based. If it were changed in statute, okay. Well, I would open it up again and I'm not the Chair, but to me, I need the input. Is this something the Fire Service wants? This is what a Fire Marshal Division serves at the pleasure of the Fire Service. What do you guys want us to do? What's your thoughts on it? It's kind of come down to a workshop or it's going to come down to a BDR and everybody should, if you want your voice heard, if this is why you're here and sitting on the Board, tell me what you think we ought to be doing. I can make anything happen, just need to know what direction we're rowing in.

Jayson Andrus stated this is the first time he'd discussed it as well. But shooting from the hip, I think we focus on the world and the firefighter industry within the state. It sounds like there's a significant need for mine rescue certification. I'm not denying that in any way shape or form, but I think there's a lot of gaps still in Fire Service within the State of Nevada. That's my opinion at this time.

Joe Rodriguez stated, since we got the two here, if you have a member that's with the mine rescue crew, and there happened to be, like, I know Battle Mountain, Eureka, a lot of those guys are volunteer firefighters out of the mines. Is there a way they can do that reciprocity or see if the lesson plans cross over and meets an IFSAC approval?

Dennis Pinkerton stated what we do now, as far as training goes, if the local mine has a Memorandum of Understanding (MOU) to respond with the local agency, we get them together. We still can't go there and do our training there, but we can do the training at the local fire department and invite those folks. And if they're members, if they're actually a miner and a member, of course, they can get certified. But that's what we're doing here in this conference.

Mike Dzyak asked if they were talking about certifications because that's where we were. I'm talking about expending training resources specific to them. But we're talking about like, if a person who works on a mine rescue, but isn't a volunteer, has a certification, they've trained as a Firefighter I and our ability to then say that person is recognized by the State Fire Marshal as Firefighter I. I mean to me it's not resource prohibited. We're not taking training from rurals or from professional firefighters. We're accepting a level of training and issuing the certification if the statutes and regulations were changed to allow us to do that. Maybe that's a wordsmithing thing. And again, I don't know if that changes anyone's, but that was my question. Make sure that we're talking about certification, not training.

Mike Heidemann stated, and you talk about resources, actually, I think it's a resource advantage. I know several that mines -- just face it, they got a few dollars. And if they're teamed up with their volunteer fire department and have trainings together, that's a huge resource for some of these small departments to be able to fund the training, and they don't mind kicking in. So, to be able to issue them that cert for doing that like training probably enhances the ability to train in the less populous areas, I would say. And the other reason some of them are on local volunteer fire departments per se is because volunteer departments typically have a response by law or provision in their operating guidelines that if you live more than 10 miles from the firehouse, we're not going to have you on their department because you're not going to make calls. So, these miners that may be 40 miles away when there's a mutual aid call from the Coeur Rochester Mine and in Imlay, Nevada, they're co-mingling now as it is. I see nothing but an advantage to it and people approach me about that, but that's why I'm here. So, I did my personal opinion after talking to them, that is truly a worthwhile venture, and I don't think, like you said, it's going to be a resource issue, probably a benefit.

Kelli Baratti stated, listening to the discussions, and this has been a topic that has raised its head before in other avenues. Perhaps with NSFA and the Nevada Fire Chiefs Association, we could host maybe a workshop or discussion or something like that. You have a couple of agenda items going forward that are going to need some good robust input from Nevada's Fire Service to the Fire Marshal's Office. Perhaps we could kick around the idea, maybe close to the Fire Shows West or something and really provide an avenue for the Fire Service to weigh in on some of these topics.

Mike Heidemann agreed, and probably invite some representatives from the Nevada Mining Association or their mine rescue leadership to present their side. I mean, they're the ones asking.

Kelli Baratti stated at the end of the day, really what we're talking about is a public-private partnership. So, those can be done. We just need to figure out how. Anything else on that topic? Okay.

12. NEVADA FIRE CHIEFS ASSOCIATION ADVISORY REPORT - RICH HARVEY
(Non-action Item)

Kelli Baratti stated she was going to switch hats for a minute for agenda item number 12 because Rich Harvey is not able to be here to give the Fire Chiefs report and we are actually having the Nevada Fire Chiefs roundtable meeting immediately following this meeting, so I'm going to keep this really high level. Chief Buchanan is here and he is going to help during the Fire Chiefs meeting. Quick rundown of what the Fire Chiefs had been doing since February 8th. There were seven bills in the legislature that had real close attention from the Fire Chiefs Association, and I'll go over those in more detail. Most of them did not make it out of committee. There were two involving EMS that actually were successful and they were signed into law by the Governor. The one that had the most attention from, let's see, those were SB 445 and that there's a change to EMS chapter 345, NRS 450B.1505. And the other one was changed to 450B.200. And basically, they get to get some fees and the fees don't have to be reverted back to the general fund, as you've talked about before. And they're to create and maintain a system of records for persons who have completed training. AB 358, which was sponsored by the Nevada Fire Chiefs Association, was probably the most contentious bill. It was passed in the Assembly. It did not get a hearing in the Senate. One of the provisions was to relocate the State EMS office from the Department of Health over to the Fire Marshal's Office. The positive thing that came out of that. Like I said, it did not get passed. There were some challenges with that in my opinion with how that bill was written. The positive thing that came out of all of that was open communications between the State EMS office and the Fire Chiefs Association and the Fire Service in general. A lot of challenges that they were having that maybe weren't as widely known by the Fire Chiefs Association and members were clearly pointed out and we have the opportunity to support them. As many of you know, state agencies can't lobby for themselves. When they have challenges, they need to look at their constituents to help them carry those messages. And that's exactly what the Fire Service is going to be able to do, is assist Bobbie and her staff to identify some of the challenges that they're having and see if there aren't ways that we can lobby on their behalf and get them. I mean, for all of the medics, EMTs in this state she has five staff members. That's a common thread. You've been dealing with that, Chief. It's a common thread throughout state agencies. You can't do it with five people. So, even though it was a little bit painful, the hearings got a little contentious. I think there were some good things, there were some positive things that came out of that bill being introduced. Another place that the Fire Chiefs have been very busy is with testimony before the Public Utilities Commission talking about NV Energies Program and the partnership with the Fire Service in Nevada, their natural disaster protection plan. The way energy is paid for across the state, the biggest chunk of that is paid by the large casinos in Clark County, understandably so. Most of them are small cities. They don't feel that they should have to pay the percentage that they do because of wildfire.

Well, one of the good arguments to that is do you want Nevada to have the same challenge that our neighbor to the west has had with PG&E, which of course we do not. So, we have a wildfire expert who has been working with NV energy and the Public Utilities Commission (PUC) to provide expert testimony and we'll see. That hearing was actually today, which is why Rich Harvey's not here. The other thing that has really gained a lot of attention is insurance denial -- homeowner insurance denials, because of exposure, by the insurance companies are saying it's too big of exposure and they're not going to approve homeowner's insurances. The Nevada Division of Insurance Commissioners meeting was held yesterday. The Western Fire Chiefs Association has taken the lead on this and trying to help states to work with their insurance commissions to see where we can go with this. There were 2,500 denials for residential insurance in Nevada because of wildfire. Believe it or not, about half of them were here in the Northeast area, in Northwestern Nevada and then there were 47 in Mount Charleston. So, this truly is a statewide issue. We're working on that. We are continuing to offer Fire Officer III and IV training. We were able to award three \$1,000 scholarships to high school students. That is a partnership between L.N. Curtis and the Nevada Fire Chiefs Association. That was pretty exciting. We are beginning a strategic planning process for the association. They haven't had one for a number of years, and so we are going to start working on that. We have re-established our partnerships with Fire Shows West, my friend Pete Mulvihill, and the Public Safety Broadband Association out of Southern Nevada. Those are the first net folks, if you will, if you'll recognize that. Excited to build on those relationships and see where we can take those. We're just getting back on our feet. So, we still don't have our website up, hopefully in the next two months the website will be up working on our social media and logos and just re-energizing the association. And last but not least we will be able to recognize our dear friend, Ross Rivera, at our meeting following this meeting. That was rough, but that's my report for the Fire Chiefs Association.

13. PUBLIC COMMENT (Non-action Item)

Kelli Baratti asked if there was any public comment in Elko.

Mike Dzyak stated he would like to recognize Kelli Baratti's eight years of service to this Board, her consummate professionalism as the Chair for the last year. I think my administrative assistant, Connie, just sings the praises of how great Kelli was to assist us in organizing this, to schedule this, to agendize these meetings. And I really appreciate you, Kelli. And I'm sorry to see you go. I feel like the Nevada Fire Chiefs are stealing you and I will hold that as a personal note in the next meeting.

Kelli Baratti stated well, thank goodness they don't pay me to be a public speaker. That's very kind. You guys are near and dear to my heart, you know that. You're going to be stuck with me. Any other public comment in the North? Any public comment on the phone? Thank you.

14. ADJOURNMENT (Discussion/For Possible Action.)

Dale Way motioned for adjournment. Jayson Andrus seconded the motion. Meeting adjourned at 2:19pm. Kelli Baratti stated the Nevada Fire Chief's meeting will get started at 2.30pm at this same call-in number.