

MINUTES

Nevada State Board of Fire Services

June 24, 2022

10:00 am

Virginia City High School

95 R Street, Commons Area, Virginia City, NV 89440

And teleconference:

Teleconference to 1-775-687-0999, Participant Code 47525

Board Members Present:

Jeffrey Buchanan
Kelli Baratti
Steve DiGiovanni
Mike Dzyak
Thomas McCleister
William Snyder

Board Members Not Present:

Mark "Pete" Briant
KC Kacey
Nicholas Moriarty
Jack Snyder

Others Present:

Connie Etchison - Administrative Assistant, State Fire Marshal Division
Joe Rodriguez - Assistant Fire Marshal, State Fire Marshal Division
Nathan Hastings - Deputy Attorney General
Peter Mulvihill - President, FireShowsWest
Michael Heidemann - Ex-Director, Nevada State Firefighters Association
Raphael Thomas - Fire Instructor, Clark County Fire Dept
Pat Irwin - Retired, LVFD
Daniel Bria - Sales, LN Curtis
Dale Way - Deputy Chief, Truckee Meadows Fire Protection District
Brittany Lemon - Fire Captain, Truckee Meadows Fire Protection District

1. CALL TO ORDER BY THE CHAIR (Non-Action Item.)

The meeting was called to order at 10:00 a.m. by Jeffrey Buchanan.

2. VERIFICATION OF NOTICE OF COMPLIANCE WITH OPEN MEETING LAW (Non-Action Item.)

The Chair of the Nevada State Board of Fire Services will verify compliance has been met in accordance with Nevada Open Meeting Law (NRS 241).

Connie Etchison confirmed compliance with the Open Meeting Law.

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

Connie Etchison called roll. Six (6) board members were present. A quorum was established. Introductions were made.

4. PUBLIC COMMENT (Non-Action Item.) No action may be taken on matters raised in this context with this agenda item prior to the inclusion of the matter itself as an action item on a future agenda. Public comments are limited to three (3) minutes. Comments will not be restricted based on viewpoint.

There was no public comment.

5. APPROVAL OF THE AUGUST 21, 2021 MEETING MINUTES (Discussion/For Possible Action.)

Kelli Baratti moved to accept the minutes and William Snyder seconded. Motion carried.

6. ELECTION OF A STATE BOARD OF FIRE SERVICES CHAIRPERSON (Discussion/For Possible Action).

Mike Dzyak moved that Kelli Baratti be the next chairperson. William Snyder seconded. Motion carried.

7. STATE FIRE MARSHAL ADVISORY REPORT - CHIEF MIKE DZYAK (Non-Action Item).

Mike Dzyak reported that the State Fire Marshal Division is now completely fee based. We maintain \$100 of general fund money so that we can go back to ISC if catastrophe hits. But other than that, it means we have a category 86 in our budget, which means that we get to carry over any funds that we have extra rather than revert them back to the general fund, which we have done since I have been here 22 years. We've always had reversions and to give you an idea what that means to the fire service in Nevada, last year, we reverted \$1.2 million back to the general fund that we would be able to support the fire service. With that, a five-year average of almost a half-million dollar, \$476,570, average over the last five years that would no longer revert to the general funds. And with that, we are going to propose NAC, Nevada Administrative Code changes that are coming up. We're doing workshops this month. The basic agenda items will not be a code adoption, it will only be the increase in plan review fees of 20% because they haven't been increased since 1998 or 2000. It's been a long time since they've even been touched which will generate more revenue and we will entertain some changes to the firework's ready now. As it stands, there's no age limit for which someone can purchase fireworks in Nevada. I think it's just common sense. I'm not looking to get authoritative over this but it's basically been unregulated. The law allows for us

to adopt and enforce regulations and it is our intention to start maintaining some sort of order with this. Since we're tasked with it, I think we're bound to do it. The other problem we've had is the people filling up Hertz rental trucks and driving back to California with truckloads of fireworks. California has reached out to us and there's no standards. There's nothing we can even do to tell them who is doing it. We're going to look at some things to have some accountability and some record keeping of those that would be subject because they are licensed by us, that we would be able to go back to them and say we need these records. That's our NAC. We also have attained a cost of approximately three-quarters-of-a-million dollars for a live fire trailer. What we'll do is we'll have a brand-new unit that we can bring to courses like this in FireShowsWest and all those training places. We bought a semitruck with it so we can tow with our instructors. Dennis is going to get into the details on this, but I'm very proud of this because we're going to make sure that we maintain the funding to keep it safe, that the manufacturer certifies it when it's supposed to be certified and that we can deliver this training to the world, we can deliver it to Las Vegas, anywhere where the need exists. And we're dealing with the same supply chain issues. We should've had it already, but there's specific parts that the manufacturer can't get but it's all done on our side. The other thing that we purchased since the last meeting is the fire investigation trailer and it's basically two burn cells that are mobile. When we're teaching fire investigators how to do it, we can set up the rooms in addition to the training course and then have them actually investigate burn patterns, learn burn patterns real time and I think it's going to be insane for the entire state. I really think this is something we've needed for a long time. It's something that, once we established the program right now, we're having trouble rehabbing it because you have to change the sheetrock out with every burn cell. We're having contractors just to get everyone to come in and just restore it so that we can fill it back up and do another training class, but Dennis Pinkerton has been working hard on that and I'm confident within the next couple of months, we'll have something down and I would anticipate once we've trained the investigators in the State, we will be able to then offer the training to anyone who wants to come in at a charge. Again, now that the fire marshal is no longer general funded, nothing is free. We can't do freebies, but we can charge reasonable fees to get these things and put that training on and who knows were that leads when the word gets out, maybe we become the fire investigative training West Coast authority, we just have to see how that plays out but two big wins. Lt. Joe Rodriguez was promoted and put into the position of Assistant State Fire Marshall. He is working with me and learning how the inner workings of everything from NAC rewrites and workshops to code adoption processes to all those things. I'm very pleased with his performance so far and I'm glad to have somebody on board. I only have a few years left so I'm hoping we keep that historical knowledge and all those things going on with Joe. We got two sergeant positions now, one in Las Vegas and one in Carson and Sgt. Joe Martin has taken over the bureau chief position in Carson City and Sgt. O'Connell is managing the Las Vegas office, as a sergeant. We hired two more fire investigators, Douglas Richpeter [ph] in the north and Scott Bricker [ph] in the south. So, we're excited to get those guys trained up. If anybody is

out there and they have fires, we're getting them as many as we can. We want to get them trained up. We instituted a skill pin [ph] set for fire investigators in our division. In order for you to obtain the skill pin [ph], there is a list of trainings that culminates and either a CFI or CFEI for you to earn that and that has been an incredible success for us in motivating the younger investigators to get as many fires under their belt to go to those trainings and become the best investigative unit that we can be. Moving on, we have some BDRs that the division is looking at, mostly cleanup. There are some issues with what NRS 477.030 says the fire marshal is and it says these strict things and we're not those anymore and there's really no reason that I can see that for it, we should be able to adopt and adjust with whatever and not be held to those things. So, it's just some cleanup. There are also some issues out there that we've been seeing with marijuana processing facilities in the rules. They like to go out in there and they don't want to do all the things that they are supposed to do and right now, there's really nothing that State Fire Marshal can do about it because it's not in 477. It doesn't say. It's not a hospital, it's not a school, not a place for assembly. So again, I'm not trying to mission creep or expand an empire, but I'm saying that we've seen this occur and there is nothing my division can do about it. I think that we should be able to do something about and that's just reasonable fire live safety standards for anybody who's going to work in those facilities.

Kelli Baratti stated that was very interesting. It sounds like there is a huge gap in that area right now. Are those places simply being inspected and plan reviewed and all that at the local level and so the state has, unless the locals ask for help, no role in that?

Mike Dzyak stated, on two separate occasions, I can tell you that the rules [ph] had come to us to do the plan review then when they found out what the extent of the plan, what they're going to have to do with fire sprinklers and egress and emergency lightings, they said, "I don't want to do those things." And we said, "Well, if you want our stamp on it, you will do those things," but there's nothing to stop the local from taking that back and that's why I had them formally take it back then you certify or find someone that, you have to adhere to these standards and that's how I know it needs to be addressed. If the fire service does not want us to address it, I still think something needs to be done and we're equipped to do it. We just need that authority to say, "No you can't go.

Kelli Baratti stated it sounds like it's worth pursuing, even just for the discussion of it. You've reported you beefed up all these areas with inspecting and plan review. We beefed up in anticipation of maybe there's additional workload or are you doing that anyway?

Mike Dzyak stated they are doing it anyway but not for this. I don't see this as a large-scale fiscal issue on us but I see it as a very important one and one with the potential to hurt a lot of people. You had one incident and you can burn half-dozen workers that are in there. I think we ought to get on top of that. We are hiring right now, another full-time plans examiner. We have brought two

more contract plans examiners into the fold. We have Martin Acevedo [ph], who is now contracting with us in Carson City and Dave Ruben is working for us now. And so we're trying to get to a 10-day turnaround again with being completely fee based now, I think we'll have a lot more flexibility to deal with this and that's my goal, it's to get that down to 10 days. People want fast turnarounds. We also started offering an expedited so you can expedite, it's going to cost you and that's just the cost to doing business. If you want to get to the frontline, we're like Disney now, you got to get a pass. It will cost you to get in frontline. We are requesting two Las Vegas inspectors. We tried to do it through MPD 19 and was unsuccessful, but we got to get some help. The inspections are starting to get beyond us for adult care, group care, kiddie cares along with some new construction issue. So, we're trying to get on top of that. The great part about having that category 86 carry-over is that it is our intention to manage it in a way where we do have a safety net should the economy fall but also to not let it get to the point where it becomes so large by utilizing that with staffing. So, you hire people in and that's that, you keep it out of manageable level. Don't let it get too big where it looks too good. We did a NFPA poster contest through the school every year. It costs us about \$9,000 to put in their artwork and we put them on billboards throughout the state under the last administration. We got less and less participation. We're not getting the exposure that it was costing us out of the fire safety cigarette [ph] account. So, what we have decided to do as my staff got together is we will have the State Fire Marshal Public Safety Day on October 8th during fire prevention week in a different town that is within the fire marshal's role jurisdictions every year. This year, it will be on October 8th in Fernley. We already have care flight coming. Joe is working on getting the National Guard to look out there. We're going to be hitting up vendors and other agencies to come out there and we're going to make it a big annual event. And then next year, if another fire service agency wants to sponsor that, they can get with us and we can do it in Elko, Tahoe, Winnemucca. We're going to make that an annual event. So, promote fire safety and public safety. Budgeting, we have one accelerant canine coming in. We will put them into the north. We're working with the state police model or the department of public safety and right now, it looks like Officer Canuck [ph] will be the handler once we get all the finances done, we put in for a grant for the dog itself and then through the funding in State Police and specifically Highway Patrol, we'll get the vehicles outfitted and then I'm hoping to have that operational within the next year. Then in this next budget cycle, we will then look for an accelerant canine in the south and it looks like Officer Bricker would be the handler down there and I intend to not only have these dogs detecting accelerant standard but our idea is that they can make the dog hit on anything we want. We give them a list of things we want that dog to hit on and they will train it to do that and then we'll train our guys do it. So we thought why don't we train them to hit on specific wide land incendiary time devices, have them hit on brake fluid and bromine, have them hit on matches, have them hit on firework so that we can identify these fires early. We do not have to wait for three fires in a pattern. I know the fire services is here but you had evidenced eradicators drive through the scene and if we can go back and identify them early or we can catch these guys, we know where to put the cans.

We know Sgt. Martin and Lt. Rodriguez's team has been getting really good at catching these clowns and I'm excited to try something, we're cutting edge. If it works, maybe that's a model for future accelerant canines, but we got to try to see if it works so we're not scared. The two Las Vegas inspectors told you about additional office staff and additional SERC position over the next biannual. SERC is under us. It's its own entity, but we control the staffing and it's been a problem because we only had two people. We've had it where we really had nothing going on. We need some safety measures in there. We need at least three people. We also need to be doing the audits that we're required to do. So, we need a vehicle and we need some things and we're working through that to get that support through the State Emergency Response Commission. So we're more streamline. We're more receptive. We get those grants out. We get them done. We audit them properly and there's enough people there to do it. I was here when the budget cuts came and basically our entire staffing was cut in half and Jim Wright, at the time, told me you can't expect the same amount of work out of half the people. You cannot do it. I lost sleep for over a year when we went self-funded, you don't know if it's going to work, but what we were doing was not working and we're going to do the same thing with SERC. We're going to make SERC absolved in and we're going to make them responsive to the lapses and do a better job with that and I think some people will help us get there. And one of the things we're looking at right now within the budget is producing a statewide juvenile firesetter program. All of the big counties have juvenile firesetter programs and they have that ability and we don't have that entered for us and I think that's our responsibility to get these kids the help they need early on in our jurisdiction. So, why can't we put a program together in Carson City so that when we have this stuff happening in Winnemucca, in west wind over, we can get out there to them. We can educate the district attorneys, and I think a program officer I and an assistant and a vehicle would get us there. With the right training and the right resources, we can do that. Again, that's something we would like to do. I think we could do it under the terms of our current NRS as fire prevention, education. I don't think we need anything special for it. I think we need to decide let's do it and I would open it up for anybody who has ideas or concerns or any of that. We're trying to work for you guys, for the fire service to say what do you guys need and if you tell me what you need then it's easy to do. Sometimes, they don't tell you so then you got to go out and say, "hey, I see a need here. Do you guys see it? And if you see it then we'll go in that direction. And if you don't, that's okay," but those are some of our goals. We are looking at more funding for the Board of Fire Services. We will be having quarterly board meetings and those things have kindly settled, COVID tossed everything around and mixed everything up but we're actually going to throw some dates out for the next meeting so that we can just say this is how it's going to be and if it's good for everybody and if we do it at my place, we have video links so you can video in. It's call in like we're doing here. The next one would likely be at a FireShowsWest. We're working with them to get a meeting time and the other thing we're going to do is we'll get out to all the members, all of the vacancies and terms. It's not secret, it's out there but we need to maintain that and keep that up with you guys. So that is all I have before I turn it back to the chair.

William Snyder stated he just wanted to say congratulations Chief Dzyak, that the [inaudible] is great. I'm glad you [inaudible]. I'm looking forward to [inaudible] and if you need to, feel free to reach out to us. Captain Lemon is with us who has been leading the charge on the fire centers and regionalizing that and a lot of interest from Carson is now [inaudible]. So we're going to be getting pretty good programs there so.

Mike Dzyak stated they have a lot of interest in it and they would reach out to him.

8. STATE FIRE MARSHAL DIVISION TRAINING ADVISORY REPORT - DENNIS PINKERTON (Non-Action Item).

Dennis Pinkerton stated he was going to reload something that he produced last week to give them an overview of what they've done for the last year. We've had 23 training courses and training-related events statewide in the last fiscal year. Our new fire officer I program debut and requires pre-work and online pre-work and the course was scheduled for 80 hours but because of pre-work, we got it down to 40 and it was very successful with all attendees passing. There were 271 state fire marshal certification testing events statewide this last year. That testing event could be 40 people or one person. So, keep that in mind. There are 1,418 written tests that were administered in the state last year and as many skill exams. The bureau certified 1,855 individuals under NFPA professional qualifications and 977 of those were the internationally accredited certification. And for your information, if you don't know, the bureau maintains IFSAC accreditation for hazmat awareness, operations, firefighter I, firefighter II and fire emergency service instructor I and II, and fire officer I and II. And we're going to move forward with driver operator and plans and inspector stuff. So that's in the future. The chief talked to you about the live fire trailer. My part in it was \$220,000 for a total of \$750,000. It's going to be maintained through the manufacturer annually and that we would get certification annually on that thing. So, it'll be up in shape and good stuff. The web-based management system is up and going and is doing very well. We're getting reciprocity request, course approval request, gear and skill review through the system and in that system, we have 8,163 validated State of Nevada personnel in the system. That could be that they're not working right now but they have been or could be at a fire department. Investigation trailer, the chief touched down with very successful and letter and later on we're looking to possibly throw it out there to the insurance group and those investigators that are out there and like you said, other states because this, they do not have this anywhere. The state is the only one with this trailer so, good stuff.

Kelli Baratti asked what was coming up, what are you going to do moving forward.

Dennis Pinkerton stated they're moving forward. We're hoping that the trailer is here in October or September. So, if it's in September, it's debut is going to be at the FireShowsWest. Kelli Baratti asked if this was the live fire trailer. Dennis Pinkerton stated yes, and all the other props that we have at the site. We also do an instructor I, instructor II every six months, and fire officer I course is going to be every year, it's going to be annual. So, people could attend it. We're actually going to offer down south to that they have that ability to maintain that so I see one up here and one down south. The investigation trailer, the chief [inaudible] were having an issue with contracting somebody to tear it apart and rebuild it. We think we have a company that's we'd just have to get their insurance for it and we'll be good but they're really interested in it. So, we are doing a lot on the web-based management system. So, whenever we create a course or a test and the person passes, that immediately goes to emails to that person and he'll get a certification right away. We've cut the response time for our certification down to two to three days, rather than four to five days. So that's a big, big turnaround along consumables. We don't spend money on paper, pencils and all that [inaudible]. So, things are looking out [inaudible].

Kelli Baratti asked if that system is built in such a way they would help you identify if there are any gaps in training that may be across the state, you're seeing in a particular area?

Dennis Pinkerton replied not right now but that's one of our goals, is to try and find what's happening. We see there is lapse in certification system, in case. So, we have some friends or folks out there that just aren't getting certified. And in our work, we want to touch those people. The big municipalities, Vegas, Clark, Anderson, North, all these guys up here, they're using the system and they're basically our beta testers. Because whenever they find a problem, we go to our contractor and work it out and then send it out to the complainant to do well and see if it works for him.

Kelli Baratti asked how long it's been live. Dennis Pinkerton replied almost two years. Eventually, we're going to use the FEMA ID for the students ID number. Right now, we have different numbers for students.

Kelli Baratti asked if they were using that now? Dennis Pinkerton replied they were not doing it now because we're having difficulty getting our firefighters to get a FEMA ID. And again, the training course is to go on, big support for FireShowsWest where we got a great program this year. I'm hoping that they enjoy the hazmat stuff because it's a big event.

Mike Dzyak asked about the new investigator curriculum. We got that new class in the last year. Dennis Pinkerton stated last year we did the pilot course for the investigator program and it was huge, it was a big success. I mean everybody passed with flying colors. And the students, their response to that investigation trailer was overwhelming. They really love that. The ease of investigation was fill up, go in there and you see the pattern right away and they

can identify it and everything they trained on was presented in that burn cell. It was good stuff.

Mike Dzyak stated he was very pleased with Dennis and their staff and that job that they're doing and their being proactive. We got a request the other day that we didn't even know from Chief Nichols.

Dennis Pinkerton stated several of the [inaudible] always have jurisdictions, the big departments, those medium-sized departments because they're looking for national accreditation. We don't have accreditation. For example, the driver operator, we asked if we could get that accredited. I said, "sure, we can do that," because we know the systems and we know how to get that done. It'll take a little manpower, but we've got new training officers so we're going to use them.

Kelli Baratti asked if this was an addition or you just have somebody left and you have a new one? Dennis Pinkerton replied they finally got a new one. It's been open for a year. We have four people now. Kelli Baratti asked if he got three guys. Dennis Pinkerton replied yes, it's good stuff.

Dale Way stated he wanted to ask question on the certifications [inaudible] is it the fire service traditionally came in as a firefighter, you had firefighter certification which allows you to get fire officer, fire instructor, et cetera. Now, you know, [inaudible] is very limiting on that, but they are people that enter the fire service and move up to [inaudible] where fire officer would be a very applicable [ph] certification, but they can't get it because they don't have fire truck certification.

Dennis Pinkerton stated they've never been able to offer historical recognition for certification and now that we're IFSAC accredited that doesn't seem to be a thing that IFSAC wants to do. However, we can work with people and see what we can do by getting that kind of certification. I know that there's the training side, prevention side and suppression side, right? There are all three separate sides. And we've been trying to focus on those as individual sections not people moving up to cross over to another. We will work with that case.

Dale Way stated he had firefighter certification, so I won't mention the property [ph], but maybe in prevention for years and years now in trying to develop people that it becomes a stymie effect for them if they have it even though they're very good candidates and obviously I think being fire marshal and fire code official to be able to effectively train people as well as lead people and both of those programs encompass those aspects [inaudible].

Dennis Pinkerton stated they wonder why you can't use an officer, can't be a fire officer I, II or III or whatever in that prevention plan. We'll work on that and try to get you guys covered there especially the inspector, the plans [inaudible], you guys come to the instructor classes because we need you guys out there

too to instruct. That's where we're poor as far as the instructor pool grows for inspector and investigators.

Michael Heidemann stated he wanted to point his attention on the status and potential implementation and benefits of the AFG [ph] graph that we've worked on with the training addition.

Dennis Pinkerton stated they put in for the Safer [ph] grants to take over the chief's position, to go out there and provide gear and provide the insurance and the physicals. We put that in a year ago. We answered questions last month that came back to us and we expect an answer for them any time. We haven't got anything negative from them. They basically told Rich [ph] that they have no more questions on this application. So, we're hoping that it's going to sail through.

- 9. PUBLIC COMMENT** (Non-Action Item). No action may be taken on that as raised in context to the agenda item prior to inclusion of the matter itself as an action item on a future agenda. Public comments are limited to three (3) minutes.

Kellie Baratti thanked Chief Buchanan for serving as the chairman for the last year.

There was no other public comment.

- 10. ADJOURNMENT** (Discussion/For Possible Action.)

Kelli Baratti made a motion to adjourn. Mike Dzyak seconded. Meeting adjourned.