



Nevada Board for the Regulation of Liquefied Petroleum Gas
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Board Meeting Minutes April 21, 2017

| Board Member | 1st | 2nd | Aye | Nay | Abs | Reason |
|---------------|----------|----------|-----------|-----|-----------|------------------------|
| Mike Eriksen | | | | | <i>ME</i> | |
| Karl Hahn | <i>X</i> | | <i>KH</i> | | | |
| Jennifer Herz | | | <i>X</i> | | | <i>Telephone</i> |
| David Klein | | | <i>D</i> | | | |
| Bryan Milton | | <i>X</i> | <i>B</i> | | | |
| Lacey Parrott | | | | | | <i>1/2 Not Present</i> |

NOTE: This meeting was digitally recorded. The digital file will be maintained in the Board office for a period of one year after the meeting was adjourned.

Minutes recorded by: Katie Bavaro

1) Call to order

The meeting was called to order at 10:01 am by Karl Hahn, Vice Chairman.

2) Self introduction. (Members, staff and guests, including persons on the telephone)

Board members:

- Mike Eriksen – representing Industry – *Not Present*
- Karl Hahn - representing propane consumers of Nevada
- Jennifer Herz – representing propane consumers of Nevada – *Not Present*
- David Klein - representing City Fire Service
- Bryan Milton – representing Industry
- Lacey Parrott – representing Rural Fire Service - *Telephone*

Staff:

- Eric Smith – Chief Inspector
- Rick Drake - Field Inspector
- Katie Bavaro - Administrative Assistant
- Peter Keegan – Deputy Attorney General

Audience: Rudy Forster – Granite Propane
Dave Sarantopoulos – Hunt Propane
Colleen Platt – Platt Law Group – *joined meeting at 10:12 am*

3) Public comments. The Board may discuss the matters, but may not act on the matters at this meeting. If the Board desires, the matters may be placed on a future agenda for action. **Public comments will be limited to 5 minutes per person at the discretion of the Chairman.**

There were none.

4) ***For possible action** the approval/disapproval/changes of the minutes of the 03/17/2017 Board meeting.

Motion: David: Motioned to approve the Board minutes of 03/17/2017.
Second: Bryan Milton
Discussion: None
In Favor: Bryan Milton, David Klein, Lacey Parrott and Karl Hahn
Opposed: None

5) ***For possible action** CONSENT AGENDA ITEMS: The following license applications will be presented to the Board for consideration and approval as a consent item. Any Board member or member of the public may request that an application be removed from the consent agenda and discussed and voted on individually.

A) Class 1 Licenses

Mr. Smith relayed that there are two modification applications for Class 1 licensees. Both are adding a dispenser to their location. Everything appears to be in order and Staff recommends approval of both.

Motion: Bryan Milton: Motioned to approve item # 5-A Class 1 licenses #1-2.
Second: David Klein
Discussion: Mr. Keegan clarified if these modifications required FPAs.
In Favor: Bryan Milton, David Klein, Lacey Parrott and Karl Hahn
Opposed: None

1. AmeriGas Propane, Inc.; 410 Cutting St., Tonopah NV 89447
2. AmeriGas Propane, Inc.; 20 Hwy 95A North, Yerington NV 89447

B) Class 2 Licenses

Mr. Smith noted that there are 10 Class 2B application and all are new installations. Everything appears to be in order and Staff recommends approval of all ten.

Motion: David Klein: Motioned to approve agenda item # 5- B Class 2 licenses items #1-10.
Second: Bryan Milton
Discussion: None
In Favor: Bryan Milton, David Klein, Lacey Parrott and Karl Hahn
Opposed: None

1. Platinum Management Group 2 LLC dba: **Z Supermarket**; 4740 E. Owens St., Las Vegas NV 89101
2. Platinum Management Group 2 LLC dba: **Z Mart #2**; 2083 E. Fremont St., Las Vegas NV 89101
3. Platinum Management Group 2 LLC dba: **Z Mart #3**; 1958 E. Charleston Blvd., Las Vegas NV 89104

4. Platinum Management Group 2 LLC dba: **Z Mart #4**; 1220 S. Atlantic Ave., Las Vegas NV 89104
5. Mohotti Lalita dba: **Low Low Liquor**; 1054 Game Bird Rd. Ste #5, Pahrump NV 89048
6. Smith Valley Equipment Co., Inc. dba: **Renner Equipment Company**; 2289 Hwy 208, Smith NV 89430
7. Phillip Atherton dba: **Feed World**; 315 Spokane St., Reno NV 89512
8. **Fuelzone Mart #3 LLC**; 7650 W. Charleston Blvd., Las Vegas NV 89117
9. **Fuelzone Mart #4 LLC**; 2151 N. Rancho Dr., Las Vegas NV 89106
10. Grind Mode 3 LLC dba: **Chevron of Amargosa Valley**; 2626 E. Hwy 95, Amargosa Valley NV 89020

C) Class 3 Licenses

Mr. Smith reported that there is one application for an ownership change. This licensee used to be Hardesty's General Repair and is now Walker River Mechanical. The Class 3E allows the licensee to perform both 3A (Plumber) and 3B (RV) operations. Application appears to be in order and Staff recommends approval.

Motion: Bryan Milton: Motioned to approve agenda item # 5- C Class 3 licenses items #1.
Second: David Klein
Discussion: None
In Favor: Bryan Milton, David Klein, Lacey Parrott and Karl Hahn
Opposed: None

1. **Walker River Mechanical Corp**; 12 State Route 208, Yerington NV 89447

D) Class 4 Licenses

Mr. Smith noted that both of these Class 4 applications are for new dispensers, one in Carson City and one in Las Vegas. Both applications are in order and Staff recommends approval of both.

Motion: David Klein: Motioned to approve agenda item # 5-D Class 4 licenses items #1-2
Second: Bryan Milton
Discussion: None
In Favor: Bryan Milton, David Klein, Lacey Parrott and Karl Hahn
Opposed: None

1. **Pro Tech RV Services L.L.C.**; 13 Affonso Dr., Mound House NV 89703
2. **Lin Consulting L.L.C. dba: Airstream Las Vegas**; 5050 E. Russell Rd., Las Vegas NV 89122

E) Class 5 Licenses

Mr. Smith reported that there is one Class 5 license which is an ownership change of the private prison in Pahrump. All is in order and Staff recommends approval of said application.

Motion: Bryan Milton: Motioned to approve agenda item # 5- E Class 5 license item #1.
Second: David Klein
Discussion: None
In Favor: Bryan Milton, David Klein, Lacey Parrott and Karl Hahn
Opposed: None

1. **CoreCivic of Tennessee, LLC dba: CoreCivic**; 2190 E. Mesquite Ave., Pahrump NV 89060

6) Board member comments.

Bryan Milton – no comment

David Klein – commented on getting calls from other jurisdictions and states regarding the portable dispensing systems. This issue is in discovery and he will have more information later. Mr. Smith commented on the language being pushed to the next NFPA 58 cycle.

Lacey Parrott – commented that Mr. Drake did his annual inspections in Yerington and Ms. Parrott was able to accompany him on various site inspections for purposes of Emergency Response. Ms. Parrott commented that she learned a lot about how safe propane tanks can be and appreciated Mr. Drake's assistance.

Karl Hahn - questioned if there were any snow problems this winter – Not since the last meeting. There were some comments about issues in some areas in California and up at the Lake.

7) Deputy Attorney General's comments.

Mr. Keegan had no comments at this time.

8) **Chief Inspector's Report.** (Report on inspections, investigations, training, Certificate of Competency exams, vehicles, Governor's Office, NRS, NAC, and P & P changes in progress.)

Mr. Smith elaborated on his report and added that he has received a request to participate in an investigation into a fire involving a couple of propane cylinder in Beatty, potentially suspicious cause. CETP starts next week with the Basic Principles and Practices class. There was one COC exam administered in Carson City and nothing new out of the Governor's office.

9) ***For possible action** the review of the financial reports (profit and loss, budget, audit, etc.), the Oversight Committee report, the movement of funds between the Board's existing and/or new accounts and other items related to the Board's finances.

Mr. Hahn gave his oversight report and noted that the Board is doing great. The CD matures on May 19, 2017 and requested a follow-up on the renewal. There were no accounts over 30 days past due with the receivables looking good. Backup is stored in the Cloud.

Motion: David Klein: Motioned to approve the April 14, 2017 Oversight Report.
Second: Bryan Milton
Discussion: None
In Favor: Bryan Milton, David Klein, Lacey Parrott and Karl Hahn
Opposed: None

Ms. Parrott reviewed the financials and reported that there is a net income of \$16,267.21 for the month. And with 83% of the year expired, income is at 83.68% and expenses are at 74.39% giving the Board a net overall income of \$35,871.15 for the year.

Motion: Bryan Milton: Motioned to approve the Profit & Loss Statement for the month of March 2017.
Second: David Klein

Discussion: None
In Favor: Bryan Milton, David Klein, Lacey Parrott and Karl Hahn
Opposed: None

10) *For possible action review of the FY 2017-18 proposed budget.

Mr. Smith reported that there is an increase of \$8,000 which does not include budgeting for the new vehicle which will be taken out of the capital fund. Ms. Parrott does not see anything out of the ordinary. The State gave their employees a COL increase of 2% which Staff copied and added a few extra % for the administrative assistant position to bring it up to the level discussed previously. Mr. Keegan questioned the trading in of the old vehicle. It is estimated to purchase the new vehicle in June or July. Mr. Drake's preference is the 2017 F-150 with either the 4-door cab or the extended cab. Mr. Smith commented that we have until the June meeting to approve the new budget as it will take effect on July 1, 2017.

11) *For possible action discussion the adoption of NFPA 58 – 2017 edition. Pursuant to NAC 590.600, if no action is taken within 120 days from this meeting (4-17-2017) this edition shall be deemed approved by the Board

This addition was automatically approved. There was no action taken.

12) *For possible action discussion on 2017 legislative session items that may affect the Board, LP-Gas dealers, or LP-Gas consumers.

Ms. Platt elaborated on her report noting that the Dept. of Agriculture's budget closed and some bills that were on a watch list have "died" and the Board appears to be safe for now. Ms. Platt also noted deadlines for budgets and BDRS and she does not anticipate any problems for the Board the rest of the session.

13) Chairman's request for items to be included on the next agenda.

New Field Inspector Vehicle and keep item #10 (Proposed 2017-18 budget). Mr. Keegan will double check with State Purchasing for any new rules. Mr. Smith explained the process to obtain a new vehicle in the past.

14) *For possible action the approval of Board members' compensation, Per Diem and travel expenses.

Motion: Bryan Milton: Motioned to approve Board member's compensation, per diem and expenses.
Second: David Klein
Discussion: None
In Favor: Bryan Milton, David Klein, Lacey Parrott and Karl Hahn
Opposed: None

15) Board Training presented by Deputy Attorney General on Contested Case Hearing Procedures pursuant to NRS 233B, NRS 645 and NAC 645.

Mr. Keegan amended the item in that there will be no discussion on NRS 645 or NAC 645. The Board could possibly be having a hearing and offered this training as a refresher on how to conduct a hearing which is also noted in NRS 590.677 to 590.690. Possible changes to the Board's regulation to cite NRS 233 B as the procedures for hearings. Mr. Smith explained why he requested this training and wants to be assured a hearing proceeds smoothly and on track. Mr. Keegan gave a Power Point presentation, there was some discussion and Mr. Keegan entertained questions and at the end.

Mr. Hahn thanked Mr. Keegan for his presentation.

16) Public comments. The Board may discuss the matters, but may not act on the matters at this meeting. If the Board desires, the matters may be placed on a future agenda for action. **Public comments will be limited to 5 minutes per person at the discretion of the Chairman.**

Mr. Forster commented on NHP stopping a service truck placarded on all four sides with a tank on it and cited the driver for not having placards on all four sides of the tank itself. There was some discussion and it was noted that if you have a combined weight of the tank and fuel over 1000 lbs the vehicle must be placarded on all four sides. If you have 1000 gallons or more, the tank shall be labeled on all four sides and the vehicle must be placarded on all four sides.

17) *Adjourn

Mr. Hahn entertained a motion to adjourn.

Motion: David Klein: Motioned to adjourn.
Second: Bryan Milton
Discussion: None
In Favor: Bryan Milton, David Klein, Lacey Parrott and Karl Hahn
Opposed: None

The meeting was adjourned at 11:43 am