

# **Board for the Regulation of Liquefied Petroleum Gas**

***Nevada Revised Statutes 590.485***

**April 27, 2012  
Sunset Subcommittee of the Legislative Commission  
Meeting Packet**

# **Sunset Subcommittee Review Form**

**Board for the Regulation of  
Liquefied Petroleum Gas  
(NRS 590.485)**



**Information concerning Board or Commission  
Subject to Review by the  
Sunset Subcommittee of the Legislative Commission**

*as required by section 10 of S.B. 251 of the 2011 Legislative Session*



<b>Board or Commission Name:</b>	Board for the Regulation of Liquefied Petroleum Gas
<b>Members' Names:</b>	See attached. Section 1
<b>Web site Address</b> (if any):	www.lpg.nv.gov
<b>Web site Developer</b> (if not DoIT, please indicate if DoIT approved the web site):	DoIT
<b>Executive Director's Name and Contact Information:</b>	See attached. Section 3
<b>Staff Members' Names:</b>	See attached. Section 4
<b>Created by what Authority:</b>	See attached. Section 5
<b>Authority to adopt regulations (NRS) and citation to regulations (NAC):</b>	See attached. Section 6
<b>Any required regulations that have not been adopted:</b>	None
<b>Governing structure of the Board or Commission:</b>	See attached. Section 8

**Information concerning Board or Commission  
Subject to Review by the  
Sunset Subcommittee of the Legislative Commission (Continued)**

**Duties of the Board or  
Commission:**

See attached. Section 9

**Dates of the Immediately  
Preceding Six Meetings:**

See attached. Section 10

**Statement of the objectives  
and programs of the Board  
or Commission:**

See attached. Section 11

**Statutory tax exemptions,  
abatements, or money set  
aside for the Board or  
Commission:**

None, this Board is 100% self funded and does NOT receive monies from the State's General Fund.

**Conclusion concerning the  
effectiveness of the  
objectives and programs of  
the Board or Commission:**

See attached. Section 13



**Information concerning Board or Commission  
Subject to Review by the  
Sunset Subcommittee of the Legislative Commission (Continued)**

**Any duplication of services with those offered by another Board or Commission or recommendation for consolidation with another Board or Commission:**

None

**Any recommendations for statutory changes which are necessary for the Board or Commission to carry out its objectives and programs:**

None

**If additional space is necessary, please attach additional pages and refer to the attachments on the form. Please include with this form:**

- 1. The operating budget of the Board or Commission.**
- 2. A statement setting forth the income and expenses of the Board or Commission for at least 3 years immediately preceding the date on which the Board or Commission submits this form, including the balances of any fund or account maintained by or on behalf of the Board or Commission.**
- 3. The most recent legislative audit or other audit of the Board or Commission, and any efficiency studies or constituent or staff surveys conducted in the past 3 years.**
- 4. Any reports required to be filed with the Legislative or Executive Branch over the past 3 years. Please indicate if any reports were filed late or have not been filed.**
- 5. The minutes of any meetings of the Board or Commission in the past year, if any.**

**Please forward all documents to: [jeanne.peyton@lcb.state.nv.us](mailto:jeanne.peyton@lcb.state.nv.us)**

# **STATE OF NEVADA**



## **BOARD FOR THE REGULATION OF LIQUEFIED PETROLEUM GAS**

### **SUNSET SUBCOMMITTEE REVIEW FORM ATTACHMENTS**

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## Introduction

The Nevada Board for the Regulation of Liquefied Petroleum Gas (LP-Gas Board) is a fully self funded Board that has been responsible for safeguarding the public's interests regarding the utilization of LP-Gas (propane, butane, etc.) in the state of Nevada since 1957. Nevada is a unique state, in the fact that the majority of its communities are outside of areas serviced by the natural gas mains. Therefore, many residents must rely on LP-Gas to satisfy their fuel gas needs.

In 2010, 51,672,000 gallons of LP-Gas were consumed in Nevada by over 53,000 users<sup>i</sup>. These uses include but are not limited to the following:

- Residential/commercial – Cooking, space heating, clothes drying, heating water
- Agriculture – Crop drying, flame cultivation, space heating, irrigation pumps
- Industrial – Manufacturing processes, road construction, contaminated soil remediation
- Mining – Ore processing, heating, water heating
- Autogas – Taxis, school buses, state vehicles, private fleets.
- Schools – Heating, water heating, cooking

The Board currently has 1,414 licensees, and in FY11 they performed 1,559 inspections.

## 1. Current Board Members

The current Board members are as follows:

Member Name	Title	Representing
Blair Poulsen	Chairman	Industry
Orrin Johnson	Vice Chairman	Public
Mike Eriksen	Secretary/Treasurer	Industry
Alan Kightlinger	Board Member	City Fire Service
Steve Tognoli	Board Member	Rural Fire Service
VACANT	Board Member	Public

## 2. LP-Gas Board Website Address/Development

The LP-Gas Board website is located at [www.lpg.nv.gov](http://www.lpg.nv.gov). The website was originally developed by the Department of Information Technology (DOIT) and is now maintained by LP-Gas Board Staff.

## 3. LP-Gas Board Executive Director

The LP-Gas Board employs a Chief Inspector which is the equivalent of an Executive Director. The current Chief Inspector joined the LP-Gas Board staff in 2002, his contact information is listed below:

Eric C. Smith, Chief Inspector  
P.O. Box 338  
Carson City, NV 89702  
Telephone: (775) 687-4890  
Fax: (775) 687-3956  
Email: [chiefinspector@lpg.nv.gov](mailto:chiefinspector@lpg.nv.gov)

#### 4. LP-Gas Board Staff

Name	Position	Telephone	Email address
Rick Drake	Field Inspector	(775) 687-4890	fieldinspector@lpg.nv.gov
Katie Bavaro	Admin Assistant	(775) 687-4890	admin@lpg.nv.gov

#### 5. Created by What Authority

The Board was created in 1957 by the Nevada State Legislature for the protection of the public who utilizes or is exposed to LP-Gases (propane, propylene, butanes, either normal butane or isobutene, and butylenes) as per [NRS 590.485 \(1\)](#).

#### 6. Authority to Adopt Regulations and Citation to Regulations

[NRS 590.505\(3\)\(b\)](#), [NRS 590.515](#), [NRS 590.519\(1\)](#), [NRS 590.521](#), [NRS 590.549\(3\)](#) provide the authority for the Board to adopt regulations. Pursuant to this authority, the Board has created a set of regulations presently codified as [NAC 590.100 to 590.687](#).

#### 7. Any Required Regulations That Have Not Been Adopted

None

#### 8. Governing Structure of the LP-Gas Board

The LP-Gas Board is governed by [NRS 590.465 to 590.645](#) and [NAC 590.100 to 590.687](#).

The Governor shall appoint:

- 1 Member who is Volunteer Firefighter in a rural area of the State
- 1 Member who is a Firefighter who is employed by the Fire Department of a city in the State
- 2 Members who are or have been engaged in the sale or distribution of LP-Gas in this State and who have a working knowledge of and actual experience in the daily operation of a business classified pursuant to the provisions of [NRS 590.575\(1\)](#)
- 2 members who are representatives of the general public

#### 9. Duties of the LP-Gas Board

The Board's mission is to protect the health, welfare, safety and education of the public and persons using LP-Gases (propane, butane, etc.). This mission is accomplished by licensing and inspecting all suppliers of LP-Gas and retailers who sell and dispense LP-Gas. In addition to licensing and inspecting operations, the Board regulates the removal of tanks from a consumers premise, responds to complaints, assists consumers in obtaining fuel in an emergency and facilitates the resolution of disputes between licensees and their customers.

#### 10. Dates of the Immediately Preceding Six (6) Meetings

The immediately preceding six (6) meetings of the LP-Gas Board were:

- January 20, 2012
- December 16, 2011
- November 18, 2011
- October 21, 2011
- September 16, 2011
- August, 19, 2011

## 11. Statement of the Objectives and Programs of the LP-Gas Board

The objective of the Board is to provide for the protection of the health, welfare, safety and education of the public and persons using LP-Gas, to provide for the reasonable and adequate service to those persons using LP-Gas, and to regulate the removal of tanks from a customer's premises and the maximum time allowable between the request and the removal.

The primary programs operated by the Board to accomplish their objectives are as follows:

- 1) **Licensing:** All persons, firms, and corporations who store, distribute, dispense, transport, and utilize LP-Gas or manufacture, fabricate, assemble, sell, install, and use LP-Gas systems, containers, apparatus, or appliances are required to obtain a license from the Board.

The purpose of licensing is to verify that each person, firm or corporation:

- a) Operates in conformity with adopted safety regulations and standards;
- b) Is legally able to do business in the state;
- c) Maintains insurance against liability for injury to persons and damage to property;
- d) Employs competent persons to perform safety sensitive functions;
- e) To disclose uniform information to their customers and prospective customers to ensure these consumers are properly informed of their rights and what options are available to them;
- f) Complies with the Consumer Bill of Rights established by the Board.

- 2) **Inspection:** All licensed installations are inspected after initial installation or modification and at least once annually to ensure continued compliance with adopted safety regulations and standards ([NAC 590.600 to 590.640](#))

- 3) **Competency Verification:** All persons who perform safety sensitive functions must meet the standards set by the Board and obtain a Certificate of Competency (COC). This is accomplished through education and/or examination.

- 4) **Education/Training:** Various training programs are conducted for the following groups or persons:

- a) **Public** – safety oriented educational materials<sup>ii</sup> are made available to the public through various outlets including printed materials, electronic media, and onsite instruction.
- b) **Fire Service** – The Board has a Memorandum of Agreement (MOA) with the State Fire Marshal's Office to provide emergency response (classroom and live fire) training<sup>iii</sup> to city, county and state fire agencies throughout Nevada. This is accomplished by utilizing the Board's certified fire instructors and four (4) separate training simulators that were designed and constructed by the Board.
- c) **Governmental Agencies** – training is customized and provided to meet the needs of various agencies; including but not limited to the Department of Water Resources, County Environmental Health, Contractors Board, Emergency Management, and Division of Industrial Relations.
- d) **Industry personnel** – regular training is provided utilizing nationally certified training curriculum.

- 5) **Emergency Response:** The Board maintains trained personnel who are available 24 hours a day/seven days a week to respond to LP-Gas emergencies.<sup>iv</sup> Technical information can be provided over the phone or on site, as well as hands-on hazard mitigation.

- 6) **Incident Investigation:** The Board maintains trained personnel who are available 24 hours a day/seven days a week to respond to requests from persons investigating LP-Gas incidents. Technical information can be provided over the phone or on site.
- 7) **Consumer Complaints:** The Board mediates and/or adjudicates LP-Gas related complaints brought against persons, firms, or corporations. These include but are not limited to:
- a) Failure to install, maintain or operate LP-Gas equipment in conformity with regulations.
  - b) Failure to disclose pricing or consumer information.
  - c) Failure to remove a leased container within 30 days of written notice to the dealer.
  - d) Failure to refund the value of the unused LP-Gas and tank rent within 15 days of container removal.
  - e) Failure to give 48 hour notice prior to unrequested disconnection of service.

## **12. Statutory tax exemptions, abatements, or money set aside for the Board or Commission**

None, this Board is 100% self funded and does not receive any monies from the State's General Fund.

## **13. Conclusion Concerning the Effectiveness of the Objectives or Programs of the LP-Gas Board**

By implementing the programs mentioned above, the Board successfully meets their objectives to provide for the protection of the health, welfare, safety and education of the public and persons using LP-Gas. Some effective programs that help us meet our objectives are:

- Maintaining and providing an easy to understand "Consumer Bill of Rights" that gives consumers useful information relating to safety, service, public assistance, complaints, and other rights they have as a user of LP-Gas.
- Annually inspecting over 1500 LP-Gas installations across the state so the public can be assured that these installations meet or exceed current safety regulations.
- Processing numerous complaints lodged against licensees. 96% of all jurisdictional complaints lodged in 2011 were resolved to the satisfaction of the complainant. This demonstrates the Boards effectiveness in providing assistance to those who felt their rights as a consumer were violated.
- Maintaining a member of the Board Staff as a member on the [National Fire Protection Association Pamphlet 58 \(LP-Gas Code\)](#) Technical Committee. This assures Nevada will have input in the continued development of this internationally recognized code that affects all users of LP-Gas in Nevada.
- Training emergency responders to mitigate LP-Gas incidents through classroom and live fire scenarios.
- Providing trained responders to assist local authorities with emergencies involving LP-Gas.

Due to its effectiveness, this Board is looked upon as one of the model LP-Gas regulatory bodies in the nation. Several states have established agencies and boards that mimic that of Nevada, some of them copied our statutes and regulations almost verbatim.

## 14. Duplication of Services Offered by Another Board/Recommendation of Consolidation

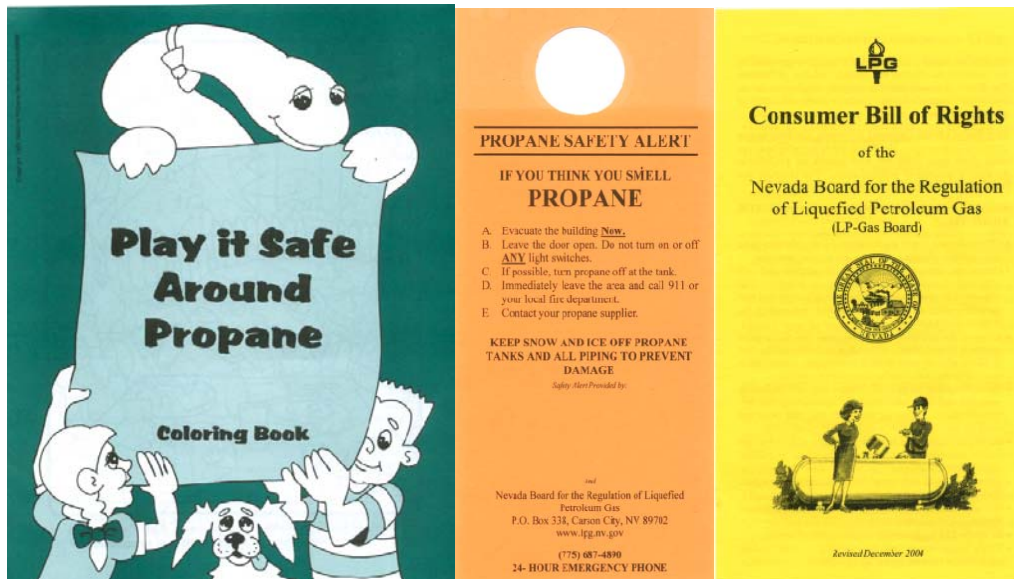
None

## 15. Recommendation for Statutory Changes

None

<sup>i</sup> As published in the API Sales of Natural Gas Liquids and Liquefied Refinery Gases (December 2011).

<sup>ii</sup> Below are examples of materials the LP-Gas Board distributes to the public.





iii The BPN is a nationally distributed publication intended for the LP-Gas industry. The LP-Gas Board's live fire training was featured on the cover of the November 2006 magazine.



#### NEVADA TRAINING

##### NEVADA

Perhaps the latest effort to provide hands-on training to accompany the Propane Emergencies curriculum is an industry-funded project in Nevada. Thanks to a \$10,000 grant provided by the Nevada Propane Dealers Association, the state was able to construct a portable live-burn simulator.

The unit was field-tested in late September by Eric Smith, chief inspec-

tor of the Nevada LP Gas Board. Smith said the Nevada State Fire Marshal's Office, a partner in the endeavor, is providing a trailer to haul it to locations around the state. The simulator features a 400-gal. tank and is fueled by a bobtail.

"Initial efforts will be aimed at training the trainer sessions using the mobile prop," noted Smith, who will conduct the classes. At press time, three sessions had been planned.



##### TEXAS

Texas' emergency training, conducted under the auspices of the Railroad Commission (RRC), is headed by Tom Petru, RRC's director of propane training. The program runs year-round. From March 5 of last year through Sept. 28, 1128 students from 154 fire departments had received training through the program.

Petru said the portable equipment used for the training—ASME and DOT cylinder tanks, a composite tank, a ruptured tank from an incident, and a bulkhead—is towed to sites around the state to fulfill requests for the instruction made by marketers. The sponsoring marketer provides a bobtail for the three- to four-hour class and invites neighboring fire departments to attend.

Field representatives from the RRC's Alternative Fuels Research & Education Division also take part.

Petru takes along a clean, Lucite cylinder training tool with tubes in the side. The cylinder allows students to view propane boiling inside, and liquid is released so they can see how product disperses during the properties and characteristics portion of the training. "We encourage the students to visit the sponsoring marketer's bulk plant in order to become familiar with this operation," Petru said. "We tell the good story about propane while cautioning about the dangers."

Placarding on the bobtail is reviewed, as are heavy-lifting operations, meters, and valves. All the emergency shut-down functions are

demonstrated, and class participants are cautioned never to approach a bobtail from the relief valve side.

"We have trained some departments from Mexico," Petru added. "These classes are held in Brownsville on the southernmost tip of Texas," across the border from Matamoros. A translator is provided, and students are issued headphones in order to hear presentations in Spanish.

In addition to firefighters, the Texas program also trains propane company employees and fire department inspectors. "We go anywhere, to any small town to provide this training," Petru noted. "I've put 17,000 miles on my truck since May. We don't require a minimum number of participants, but I've yet to see a small turnout."

<sup>iv</sup> The Board staff responded to a fire in North Las Vegas involving two LP-Gas facilities and coordinated the efforts to mitigate the incident as reported in the August 1, 2006 Las Vegas Sun.

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Member Center

Aug 01, 2006

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PROPANE EXPLOSIONS: Official sees truck as source

What caused fire that led to blasts remains unclear

By HENRY BREEN

REVIEW-JOURNAL



A giant explosion that lit up the sky Friday night most likely came from a 3,000-gallon tank on a propane-delivery truck, said a state regulator who helped battle the blaze in North Las Vegas.

Eric Smith is chief inspector for the Nevada Board for the Regulation of Liquefied Petroleum Gas, a state panel that oversees the propane industry. He and field inspector Rick Drake, the board's only other staff member, were dispatched to the scene Saturday morning from their office in Carson City.

Smith said they brought their fire-protection suits with them on the plane. They were the first people allowed near the largest of the burning propane tanks, a 30,000-gallon cylinder the size of a school bus that was jetting flames in two places.

Smith said he fashioned a gasket out of a rubber doormat a firefighter gave him, and he used it to seal off a flaming leak around the tank's pressure gauge.

He said the tank's safety valves performed as designed, relieving the pressure inside and preventing an explosion 10 times larger than the one seen across the valley Friday.

The North Las Vegas Fire Department continued its investigation of the incident Monday, but what sparked the blaze remained unclear.

It began at Proflame's propane storage lot and filling station, near Craig and Pecos roads.

"We don't believe it was intentionally set by any means," said Cedric Williams, spokesman for the North Las Vegas Fire Department. "It's going to probably take a while as far as the investigation is concerned."

Advertisement

Smith said the Proflame worker who was present when the fire started has told investigators he did not know the cause.

The man reportedly was using the hose from a 3,000-gallon tanker truck to fill an 8-gallon fuel tank for a forklift when a flash of flames singed his hair and left him with minor burns on his head and arms. He fled as the fire began to engulf the truck.

No one else was injured by the blaze, which spread to a neighboring fuel yard operated by AmeriGas Propane. There, the fire raged through hundreds of 20-pound fuel bottles and several vehicles, including three tanker trucks.

A series of explosions hurled metal fragments hundreds of feet from the site. A chunk of twisted metal the size of a large duffel bag was caught in the boughs of a scorched pine tree on the Proflame lot.

"We did see some debris two blocks away," Smith said.

One of AmeriGas' trucks exploded in a massive fireball that flayed open its tank and reduced its tires to a skeleton of steel belts.

No official damage estimates have been released, but "we do know it's definitely in the millions" of dollars, Williams said.

At AmeriGas alone, the tally is expected to top \$2 million.

"We bore the brunt of it," said Gary Browne, regional market manager for AmeriGas. "Everything came this way."

Browne, who lives in Reno, said he found out about the fire the way many did: video of a giant fireball on the 11 p.m. TV newscasts.

The minute he saw it, he said he knew he had to pack a bag and fly to Las Vegas.

Ashley Furniture Homestore managers Bill Bedore and Don Gibelyou saw the explosion on television, but police roadblocks kept them from surveying the damage at their warehouse across the street from burning fuel lots.

"We had 24 hours of not knowing if the building was up, down or what," Gibelyou said.

When they were escorted into the area by firefighters Saturday night, they found the 16,000-square-foot warehouse ankle-deep in water. The fire sprinklers had been running nonstop since the night before, when an explosion blew open the building's rolled-metal doors and sparked a small blaze inside.

Bedore said the discount warehouse held about 6,000 pieces of furniture, and nearly all of it was damaged or destroyed by the water. He pegged the damage at about \$750,000 and said the business was likely to relocate.

Calply, a building supply company just north of the AmeriGas lot, suffered damage to its doors and several vehicles, said Ray Jansma, general manager.

Insurance adjusters did not have an estimated cost of the damage Monday.

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Jansma said. Business was "100 percent back to normal," he said.

AmeriGas and Proflame are operating again, thanks to trucks brought in over the weekend from Pahrump and elsewhere.

Browne said the fire caused no more than "a little hiccup" in service, with deliveries arriving a few hours later than usual Monday.

Smith said he cannot recall any safety violations or inspection problems at Proflame's North Las Vegas facility during his four years with the state.

It and the AmeriGas facility next door meet regulations governing their location and operation, he said.

Under federal and state code, a 30,000-gallon propane tank must be placed at least 50 feet from the nearest "important structure," Smith said.

That might not seem like much of a distance, but it has "worked for a number of years," he said.

Smith said he does not think the fire posed a serious threat to the nearest homes, less than 600 feet away.

"The distances they have there (between propane tanks and homes), I'm very comfortable with that," he said.

The fuel facilities are on property that long has been zoned for heavy industrial use, a category reserved for operations with "highest probability of creating a nuisance," said Jory Stewart, planning and zoning director for North Las Vegas.

The valley is home to three other commercial propane facilities, all of them within a few blocks of the two operations that burned Friday.

Smith said the largest propane tanks he knows of in Las Vegas are the twin 60,000-gallon tanks that Nevada Yellow Cab Co. uses to fill its propane-powered taxis.

Located at the company's facility in the southwest part of the valley, near Decatur Boulevard and the Las Vegas Beltway, the tanks are equipped with a safety system that deluges them with water in a fire, Smith said.

Review-Journal writer Lawrence Mower contributed to this report.

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LP-Gas Board Sunset Commission Review Form Attachments

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11:44 AM  
05/16/11  
Accrual Basis

# Nevada LP-Gas Board

## Profit & Loss Budget vs. Actual

July 2011 through June 2012

	<u>Jul '11 - Jun 12</u>	<u>Budget</u>	<u>% of Budget</u>
<b>Ordinary Income/Expense</b>			
<b>Income</b>			
Discounts	0.00	-2,134.00	0.0%
Administrative Recovery Fees	0.00	1,622.00	0.0%
Beginning Fund Balance	0.00	29,952.00	0.0%
Certificate of Competency Fees	0.00	20,270.00	0.0%
Inspection Fees	0.00	114,390.00	0.0%
Interest Income	0.00	120.00	0.0%
Labor	0.00	3,400.00	0.0%
License Application Fees	0.00	4,200.00	0.0%
License Fees	0.00	183,425.00	0.0%
<b>Total Income</b>	<u>0.00</u>	<u>355,245.00</u>	<u>0.0%</u>
<b>Gross Profit</b>	0.00	355,245.00	0.0%
<b>Expense</b>			
Automobile Expense	0.00	7,600.00	0.0%
Bad Debt	0.00	315.00	0.0%
Bank Service Charges	0.00	120.00	0.0%
Benefits	0.00	66,367.00	0.0%
Building	0.00	10,700.00	0.0%
Conferences/Conventions	0.00	755.00	0.0%
Dues and Subscriptions	0.00	400.00	0.0%
Ending Fund Balance	0.00	30,551.00	0.0%
Insurance	0.00	3,750.00	0.0%
Miscellaneous Host	0.00	150.00	0.0%
Office	0.00	11,114.00	0.0%
Other Expenses	0.00	166.00	0.0%
Payroll	0.00	181,557.00	0.0%
Professional Fees	0.00	17,100.00	0.0%
Telephone	0.00	4,560.00	0.0%
Tools / PPE	0.00	500.00	0.0%
Training	0.00	1,000.00	0.0%
Travel	0.00	18,040.00	0.0%
Uniforms	0.00	500.00	0.0%
<b>Total Expense</b>	<u>0.00</u>	<u>355,245.00</u>	<u>0.0%</u>
<b>Net Ordinary Income</b>	<u>0.00</u>	<u>0.00</u>	<u>0.0%</u>
<b>Net Income</b>	<u><u>0.00</u></u>	<u><u>0.00</u></u>	<u><u>0.0%</u></u>

2:15 PM  
01/25/12  
Accrual Basis

**Nevada LP-Gas Board**  
**Profit & Loss**  
July 2010 through June 2011

	Jul '10 - Jun 11
Ordinary Income/Expense	
Income	
Gain	2,400.00
Discounts	
Multiple License Discounts	-912.75
Total Discounts	-912.75
Administrative Recovery Fees	
Late Fee	188.29
Reinstatement Fee	1,250.00
Returned Check Fee	0.00
Total Administrative Recovery Fees	1,438.29
Certificate of Competency Fees	
Application Fees	1,810.00
Certificate Fees	2,700.00
Total Certificate of Competency Fees	4,510.00
Inspection Fees	
Container	51,660.00
Cylinder Cages	42,349.00
Vaporizers	6,615.00
Total Inspection Fees	100,624.00
Interest Income	11.44
Labor	3,350.00
License Application Fees	9,030.00
License Fees	
Class 1A	49,025.00
Class 1B	18,480.00
Class 2A	810.00
Class 2B	55,250.00
Class 3A	6,345.00
Class 3B	2,160.00
Class 3C	1,485.00
Class 3E	405.00
Class 4	32,399.90
Class 5	15,120.00
Total License Fees	181,479.90
Qualified Person Fees	
Application Fees	420.00
Certificate Fees	1,775.00
Total Qualified Person Fees	2,195.00
Reimbursed Training Expenses	263.22
Total Income	304,389.10
Gross Profit	304,389.10
Expense	
Automobile Expense	
Chief Inspector Vehicle	
Fuel	1,625.05
Repairs	28.92
Service	248.81
Tires	515.50
Total Chief Inspector Vehicle	2,418.28

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01/25/12  
Accrual Basis

**Nevada LP-Gas Board**  
**Profit & Loss**  
**July 2010 through June 2011**

	Jul '10 - Jun 11
Field Inspector Vehicle	
Fuel	3,807.31
Service	403.27
Field Inspector Vehicle - Other	0.00
Total Field Inspector Vehicle	4,210.58
Total Automobile Expense	6,628.86
Bad Debt	105.00
Bank Service Charges	177.60
Benefits	
Administrative Assistant	
Medicare	335.42
PERS	4,973.29
Total Administrative Assistant	5,308.71
Chief Inspector	
Medicare	1,282.08
PEBP	8,751.85
PERS	19,011.36
Total Chief Inspector	29,045.29
Field Inspector	
Medicare	963.36
PEBP	8,607.35
PERS	14,284.32
Total Field Inspector	23,855.03
Benefits - Other	0.00
Total Benefits	58,209.03
Building	
Rent	7,800.00
Total Building	7,800.00
Conferences/Conventions	450.00
Depreciation Expense	4,305.00
Dues and Subscriptions	345.00
Insurance	
Automobile	
Comp and Collision (RM)	176.00
Liability (AG)	490.14
Total Automobile	666.14
Errors and Omissions (AG)	1,146.95
Workers Compensation	1,544.00
Total Insurance	3,357.09
Miscellaneous Host	87.36
Office	
Code Books	701.95
Equipment Purchase	2,773.00
Equipment Repairs	93.50
Internet	
E-mail	176.34
Internet Access	959.88
VPN	70.40
Web Page	1,068.47
Internet - Other	96.42
Total Internet	2,371.51
Office Supplies	1,376.11
Postage and Delivery	1,675.09
Printing and Reproduction	1,280.72
Total Office	10,271.88



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Accrual Basis

**Nevada LP-Gas Board**  
**Profit & Loss**  
**July 2010 through June 2011**

	Jul '10 - Jun 11
<b>Payroll</b>	
Compensated Absences	2,021.50
Administrative Assistant	23,131.58
<b>Board Member Compensation</b>	
Orrin Johnson	720.00
Alan Kightlinger	480.00
Blair Poulsen	800.00
Mike Eriksen	640.00
Norman Yeager	720.00
Steve Tognoli	800.00
<b>Total Board Member Compensation</b>	4,160.00
Chief Inspector	88,425.12
Field Inspector	66,438.96
Payroll Expense	429.40
Payroll - Other	-6.06
<b>Total Payroll</b>	184,600.50
<b>Professional Fees</b>	
Bill Watching	5,000.00
Accounting	4,500.00
LCB	950.00
Legal Fees	6,707.06
<b>Total Professional Fees</b>	17,157.06
<b>Telephone</b>	
Chief Inspector	741.23
Conference Calls	183.88
Field Inspector	723.72
Office	1,070.49
Services	767.28
<b>Total Telephone</b>	3,486.60
<b>Training</b>	
NPDA	123.45
Received	50.00
<b>Total Training</b>	173.45
<b>Travel</b>	
<b>Board Members</b>	
Orrin Johnson	125.00
Alan Kightlinger	2,379.15
Mike Eriksen	1,778.00
Norman Yeager	609.30
Steve Tognoli	302.40
<b>Total Board Members</b>	5,193.85
Chief Inspector	1,715.56
Field Inspector	5,774.05
<b>Total Travel</b>	12,683.46
<b>Total Expense</b>	309,837.89
<b>Net Ordinary Income</b>	-5,448.79
<b>Net Income</b>	-5,448.79

2:15 PM  
01/25/12  
Accrual Basis

**Nevada LP-Gas Board**  
**Profit & Loss**  
**July 2009 through June 2010**

	Jul '09 - Jun 10
Ordinary Income/Expense	
Income	
Administrative Recovery Fees	
Complaint Resolution	15,000.00
Late Fee	60.00
Reinstatement Fee	1,000.00
Returned Check Fee	-50.00
Total Administrative Recovery Fees	16,010.00
Bad Debt Recovery	136.40
Certificate of Competency Fees	
Application Fees	2,730.00
Certificate Fees	3,250.00
Total Certificate of Competency Fees	5,980.00
Inspection Fees	
Container	54,390.00
Cylinder Cages	38,640.00
Vaporizers	7,560.00
Total Inspection Fees	100,590.00
Interest Income	24.85
Labor	1,550.00
License Application Fees	11,060.00
License Fees	
Class 1A	49,950.00
Class 1B	19,800.00
Class 2A	675.00
Class 2B	53,040.00
Class 3A	6,750.00
Class 3B	2,430.00
Class 3C	1,620.00
Class 3E	405.00
Class 4	31,725.00
Class 5	15,390.00
Total License Fees	181,785.00
Qualified Person Fees	
Application Fees	1,680.00
Certificate Fees	3,100.00
Total Qualified Person Fees	4,780.00
Reimbursed Training Expenses	380.28
Total Income	322,296.53
Gross Profit	322,296.53
Expense	
Automobile Expense	
Chief Inspector Vehicle	
Fuel	1,176.92
Service	104.25
Total Chief Inspector Vehicle	1,281.17
Field Inspector Vehicle	
Fuel	3,868.19
Service	259.85
Total Field Inspector Vehicle	4,128.04
Total Automobile Expense	5,409.21
Bad Debt	415.00
Bank Service Charges	142.40

**Nevada LP-Gas Board**  
**Profit & Loss**  
**July 2009 through June 2010**

	Jul '09 - Jun 10
<b>Benefits</b>	
Administrative Assistant	
Medicare	137.74
PERS	2,042.26
Total Administrative Assistant	2,180.00
Chief Inspector	
Medicare	1,281.04
PEBP	9,546.75
PERS	18,995.83
Total Chief Inspector	29,823.62
Field Inspector	
Medicare	962.57
PEBP	9,042.43
PERS	14,272.65
Total Field Inspector	24,277.65
Temporary Employee	
PERS	2,940.12
Medicare	141.53
Total Temporary Employee	3,081.65
Total Benefits	59,362.92
<b>Building</b>	
Rent	7,800.00
Total Building	7,800.00
Conferences/Conventions	982.75
Dues and Subscriptions	395.00
<b>Insurance</b>	
Automobile	
Liability (AG)	490.14
Total Automobile	490.14
Workers Compensation	1,618.00
Total Insurance	2,108.14
Miscellaneous Host	272.63
<b>Office</b>	
Equipment Purchase	308.18
Internet	
E-mail	185.55
Internet Access	959.88
VPN	69.45
Web Page	1,260.85
Total Internet	2,475.73
Office Supplies	2,396.65
Postage and Delivery	1,771.88
Printing and Reproduction	1,854.28
Total Office	8,806.72
<b>Payroll</b>	
Administrative Assistant	9,498.89
Board Member Compensation	
Orrin Johnson	720.00
Alan Kightlinger	880.00
Blair Poulsen	800.00
Mike Eriksen	880.00
Norman Yeager	640.00
Steve Tognoli	720.00
Total Board Member Compensation	4,640.00



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Accrual Basis

**Nevada LP-Gas Board**  
**Profit & Loss**  
 July 2009 through June 2010

	Jul '09 - Jun 10
Chief Inspector	88,352.87
Field Inspector	66,384.67
Payroll Expense	398.90
Temporary Employee	13,974.34
Payroll - Other	16.80
<b>Total Payroll</b>	<b>183,266.47</b>
Professional Fees	
Accounting	4,500.00
LCB	500.00
Legal Fees	10,241.91
<b>Total Professional Fees</b>	<b>15,241.91</b>
Telephone	
Chief Inspector	373.62
Conference Calls	245.10
Field Inspector	371.56
Office	1,028.99
Services	767.28
<b>Total Telephone</b>	<b>2,786.55</b>
Training	
Given	55.00
NPDA	405.26
<b>Total Training</b>	<b>460.26</b>
Travel	
Temporary Employee	234.00
Board Members	
Orrin Johnson	696.31
Alan Kightlinger	4,548.61
Mike Eriksen	2,533.00
Norman Yeager	2,751.67
Steve Tognoli	627.84
<b>Total Board Members</b>	<b>11,157.43</b>
Chief Inspector	2,369.73
Field Inspector	5,169.36
<b>Total Travel</b>	<b>18,930.52</b>
<b>Total Expense</b>	<b>306,380.48</b>
<b>Net Ordinary Income</b>	<b>15,916.05</b>
<b>Net Income</b>	<b>15,916.05</b>

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Accrual Basis

**Nevada LP-Gas Board**  
**Profit & Loss**  
**July 2008 through June 2009**

	Jul '08 - Jun 09
Ordinary Income/Expense	
Income	
Administrative Recovery Fees	
Late Fee	219.75
Reinstatement Fee	2,000.00
Returned Check Fee	75.00
Total Administrative Recovery Fees	2,294.75
Certificate of Competency Fees	
Application Fees	4,200.00
Certificate Fees	4,900.00
Total Certificate of Competency Fees	9,100.00
Inspection Fees	
Container	56,015.00
Cylinder Cages	34,250.00
Vaporizers	8,190.00
Total Inspection Fees	98,455.00
Interest Income	1,360.58
Labor	0.00
License Application Fees	12,320.00
License Fees	
Class 1A	48,100.00
Class 1B	20,460.00
Class 2A	540.00
Class 2B	50,505.00
Class 3A	8,100.00
Class 3B	2,430.00
Class 3C	1,620.00
Class 3E	405.00
Class 4	36,180.00
Class 5	15,120.00
Total License Fees	183,460.00
Qualified Person Fees	
Application Fees	1,190.00
Certificate Fees	3,050.00
Total Qualified Person Fees	4,240.00
Reimbursed Training Expenses	679.55
Total Income	311,909.88
Gross Profit	311,909.88
Expense	
Automobile Expense	
Chief Inspector Vehicle	
Fuel	1,700.67
Repairs	848.51
Service	184.28
Total Chief Inspector Vehicle	2,733.46
Field Inspector Vehicle	
Fuel	3,333.80
Service	918.58
Field Inspector Vehicle - Other	6.00
Total Field Inspector Vehicle	4,258.38
Total Automobile Expense	6,991.84
Bad Debt	285.04
Bank Service Charges	144.00

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Accrual Basis

**Nevada LP-Gas Board**  
**Profit & Loss**  
July 2008 through June 2009

	Jul '08 - Jun 09
Benefits	
Chief Inspector	
Medicare	1,254.27
PEBP	8,747.99
PERS	17,731.79
Total Chief Inspector	27,734.05
Field Inspector	
Medicare	941.60
PEBP	8,286.92
PERS	13,313.09
Total Field Inspector	22,541.61
Total Benefits	50,275.66
Building	
Rent	7,150.00
Total Building	7,150.00
Conferences/Conventions	150.00
Depreciation Expense	12,952.00
Dues and Subscriptions	345.00
Insurance	
Automobile	
Liability (AG)	510.94
Total Automobile	510.94
Errors and Omissions (AG)	865.80
Workers Compensation	1,897.00
Total Insurance	3,273.74
Miscellaneous Host	93.02
Office	
Code Books	570.30
Equipment Purchase	3,680.79
Internet	
E-mail	154.58
Internet Access	890.49
VPN	62.15
Web Page	1,354.43
Total Internet	2,461.65
Leased Equipment	857.85
Office Supplies	2,789.40
Postage and Delivery	1,760.42
Printing and Reproduction	674.37
Total Office	12,794.78
Payroll	
Board Member Compensation	
A.C. Wolf	160.00
Alan Kightlinger	560.00
Blair Poulsen	640.00
Mike Eriksen	720.00
Norman Yeager	400.00
Total Board Member Compensation	2,480.00
Chief Inspector	86,496.28
Field Inspector	64,941.96
Payroll Expense	376.34
Temporary Employee	22,493.13
Payroll - Other	0.00
Total Payroll	176,787.71

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Accrual Basis

**Nevada LP-Gas Board**  
**Profit & Loss**  
July 2008 through June 2009

	Jul '08 - Jun 09
Professional Fees	
Bill Watching	1,500.00
Accounting	4,500.00
Legal Fees	6,938.41
Total Professional Fees	12,938.41
Telephone	
Chief Inspector	368.41
Conference Calls	147.76
Field Inspector	368.27
Office	927.04
Services	767.28
Total Telephone	2,578.76
Tools / PPE	48.23
Training	
Given	200.48
NPDA	481.78
Total Training	682.26
Travel	
Board Members	
Alan Kightlinger	3,337.99
Mike Eriksen	3,702.60
Norman Yeager	1,842.77
Total Board Members	8,883.36
Chief Inspector	3,343.30
Field Inspector	5,021.00
Total Travel	17,247.66
Total Expense	304,738.11
Net Ordinary Income	7,171.77
Net Income	7,171.77

# Basic Business Checking® W/Interest PF

Account number: [REDACTED] December 1, 2011 - December 31, 2011 ■ Page 1 of 4

WELLS  
FARGO

STATE OF NEVADA  
NEVADA LIQUEFIED PETROLEUM  
GAS BOARD  
PO BOX 338  
CARSON CITY NV 89702-0338

## Questions?

Available by phone 24 hours a day, 7 days a week:

**1-800-CALL-WELLS** (1-800-225-5935)

TTY: 1-800-877-4833

En español: 1-877-337-7454

Online: [wellsfargo.com/biz](http://wellsfargo.com/biz)

Write: Wells Fargo Bank, N.A. (825)

P.O. Box 6995

Portland, OR 97228-6995

## Your Business and Wells Fargo

The Wells Fargo Business Insight Resource Center offers free access to business information and advice through videos, articles, podcasts and other resources. This site offers objective information from industry experts, best practices from real business owners, as well as numerous Wells Fargo solutions that can help you run your business. Visit the site at [wellsfargobusinessinsights.com](http://wellsfargobusinessinsights.com).

## Account options

A check mark in the box indicates you have these convenient services with your account. Go to [wellsfargo.com/biz](http://wellsfargo.com/biz) or call the number above if you have questions or if you would like to add new services.

Business Online Banking ☒  
Rewards for Business Check Card ☐  
Online Statements ☐  
Business Bill Pay ☐  
Business Spending Report ☒  
Overdraft Protection ☐

## Activity summary

Beginning balance on 12/1	\$36,229.01
Deposits/Credits	22,251.45
Withdrawals/Debits	- 29,405.08
<b>Ending balance on 12/31</b>	<b>\$29,075.38</b>
 Average ledger balance this period	 \$32,623.57

Account number: [REDACTED]

**STATE OF NEVADA  
NEVADA LIQUEFIED PETROLEUM  
GAS BOARD**

Nevada account terms and conditions apply

For Direct Deposit and Automatic Payments use

Routing Number (RTN): [REDACTED]

For Wire Transfers use

Routing Number (RTN): [REDACTED]

## Interest summary

Interest paid this statement	\$0.24
Average collected balance	\$31,540.02
Annual percentage yield earned	0.01%
Interest earned this statement period	\$0.24
Interest paid this year	\$2.76



**Transaction history**

Date	Check Number	Description	Deposits/ Credits	Withdrawals/ Debits	Ending daily balance
12/1	3776	Check		631.00	
12/1	3779	Check		392.00	35,206.01
12/2		Deposit	2,225.00		
12/2	3770	Check		650.00	
12/2	3778	Check		258.77	36,522.24
12/6	3777	Check		85.52	36,436.72
12/8		Deposit	3,374.75		39,811.47
12/9		Deposit	2,106.00		
12/9	3775	Check		4,500.00	37,417.47
12/12		Deposit	1,490.00		38,907.47
12/14		Intuit Payroll 5 Quickbooks 111214 xxxxx1666 Nevada Board for The R		5,955.12	32,952.35
12/16		Deposit	1,410.00		
12/16	3794	Cashed Check		226.60	
12/16	3781	Check		3,493.22	
12/16		IRS Usatapyrnt 121611 270175083337024 Nevada State Board for		2,913.54	27,728.99
12/19		Deposit	990.46		
12/19	3786	Check		385.00	
12/19	3788	Check		573.57	
12/19	3793	Check		535.99	
12/19	3795	Check		80.00	27,144.89
12/20		Deposit	3,755.00		
12/20	3780	Check		1,649.72	
12/20	3787	Check		65.50	
12/20	3789	Check		130.52	29,054.15
12/21	3782	Check		36.00	
12/21	3784	Check		193.90	
12/21	3791	Check		42.86	28,781.39
12/22	3785	Check		6.85	28,774.54
12/23	3792	Check		267.76	28,506.78
12/27		WF Bus Credit Auto Pay 111223 90469300166154 Account Control		380.73	28,126.05
12/28		Deposit	3,760.00		
12/28		Deposit	3,140.00		35,026.05
12/29		Intuit Payroll 5 Quickbooks 111229 xxxxx1666 Nevada Board for The R		5,940.11	29,085.94
12/30		Interest Payment	0.24		
12/30		Deposited Items Fee		10.80	29,075.38
<b>Ending balance on 12/31</b>					<b>29,075.38</b>
<b>Totals</b>			<b>\$22,251.45</b>	<b>\$29,405.08</b>	

The Ending Daily Balance does not reflect any pending withdrawals or holds on deposited funds that may have been outstanding on your account when your transactions posted. If you had insufficient available funds when a transaction posted, fees may have been assessed.

**Summary of checks written (checks listed are also displayed in the preceding Transaction history)**

Number	Date	Amount	Number	Date	Amount	Number	Date	Amount
3770	12/2	650.00	3780	12/20	1,649.72	3787	12/20	65.50
3775 *	12/9	4,500.00	3781	12/16	3,493.22	3788	12/19	573.57
3776	12/1	631.00	3782	12/21	36.00	3789	12/20	130.52
3777	12/6	85.52	3784 *	12/21	193.90	3791 *	12/21	42.86
3778	12/2	258.77	3785	12/22	6.85	3792	12/23	267.76
3779	12/1	392.00	3786	12/19	385.00	3793	12/19	535.99

**Summary of checks written (continued)**

Number	Date	Amount	Number	Date	Amount	Number	Date	Amount
3794	12/16	226.60	3795	12/19	80.00			

\* Gap in check sequence.

**Account transaction fees summary**

Service charge description	Units used	Units included	Excess units	Service charge per excess units (\$)	Total service charge (\$)
Deposited Items	129	75	54	0.20	10.80
Paid Items	24	75	0	0.20	0.00
<b>Total service charges</b>					<b>\$10.80</b>

**IMPORTANT ACCOUNT INFORMATION**

Information regarding fees for services you may use with your account

- Audit Confirmation - \$40 per request
- Non-Customer Check Cashing - \$7.50 each
- Account Research - \$25 per hour (\$25 minimum)
- Cashier's Checks - \$10 each
- Document Copy Fee/Other Requests - \$5 per item (Self-Serve Requests remain at no charge)
- Money Orders - \$5 each
- International Item Deposited - \$5 per item
- Stop Payment - \$31 each

**Wire Transfers:**

- Incoming Domestic/Internal Transfer - \$15 each
- Incoming International U.S./Foreign Currency - \$16 each
- Outgoing Domestic/Internal Transfer - \$30 each
- Repetitive Outgoing Domestic/Internal Transfer - \$25 each
- Outgoing International U.S. Currency - \$45 each
- Repetitive Outgoing International U.S. Currency - \$40 each
- Outgoing International Foreign Currency - \$35 each
- Repetitive Outgoing International Foreign Currency - \$30 each
- Outgoing Book Transfer - \$15 each
- Repetitive Outgoing Book Transfer - \$10 each

For questions, contact your Business Banker or call the phone number at the top of your statement. Pricing may vary based on account relationship.





Nevada Government Services  
MAC S3713-020  
530 Las Vegas Blvd. S, 2nd Floor  
Las Vegas, NV 89101

Tel: 702 952 7550  
Fax: 702 952 7570  
Tel: 877 897 2546  
governmentbankingnv@wellsfargo.com

January 26, 2012

Nevada Board for the Regulation of  
Liquefied petroleum Gas  
P.O. Box 338  
Carson City, NV 89702

RE: Time account balance

Dear Eric:

Pursuant to the request from Blair Paulsen, please find information below  
regarding time account balances as of January 26, 2012 held by: The Nevada  
Board of the Regulation for Liquefied Petroleum Gas:

Number	Amount:	Maturity Date
• [REDACTED]	\$124,277.25	5/19/2012
• [REDACTED]	\$ 61,136.39	5/19/2012
• [REDACTED]	\$ 35,604.70	5/19/2012

Please let me know if you have questions.

Sincerely,

Barbara Bailey  
Business Associate





**NEVADA BOARD FOR THE REGULATION  
OF LIQUIFIED PETROLEUM GAS**

**FINANCIAL STATEMENTS**

**June 30, 2011 and 2010**

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**BERTRAND & ASSOCIATES, LLC**  
**CERTIFIED PUBLIC ACCOUNTANTS**  
Members American Institute of Certified Public Accountants

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591 S. Saliman Rd. Suite 2  
Carson City, NV 89701  
Tel 775.882.8892  
Fax 775.562.2667

Board of Directors  
Nevada Board for the Regulation of Liquefied Petroleum Gas

**INDEPENDENT AUDITOR'S REPORT**

We have audited the accompanying statements of net assets of the Nevada Board for the Regulation of Liquefied Petroleum Gas as of June 30, 2011 and the related statements of revenues, expenses, changes in net assets, and the statements of cash flows for the years then ended. These financial statements are the responsibility of the organization's management. Our responsibility is to express an opinion on these financial statements based on our audit. The financial statements of Nevada Board for the Regulation of Liquefied Petroleum Gas as of June 30, 2010 were audited by another auditor whose report dated November 29, 2010 expressed an unqualified opinion on those statements.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts disclosed in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

In our opinion, the financial statements referred to above presents fairly, in all material respects, the financial position of the Nevada Board for the Regulation of Liquefied Petroleum Gas as of June 30, 2011 and the results of its operations and its cash flows for the years then ended, in conformity with accounting principles generally accepted in the United States of America.

We have also issued a report on our tests of compliance with certain provisions of laws, regulations, contracts and grants. That report is an integral part of our audit and should be read in conjunction with this report in considering the results of our audit.

The management's discussion and analysis and the budgetary comparison information are not a required part of the basic financial statements but are supplementary information. We have applied certain limited procedures, which consisted principally of inquires of management regarding the methods of measurement and presentation of the supplementary information. We have applied certain limited procedures, which consisted principally of inquires of management regarding the methods of measurements and presentation of the required supplementary information. However, we did not audit the information and express no opinion on it.



November 14, 2011  
Carson City, Nevada

## **Management Discussion and Analysis**

### Income

The implementation of new regulations in FY11 resulted in the restructuring of the Certificate of Competency requirements. This resulted in the reduction of income in these categories as compared to FY10. It is expected that this income category will continue to fluctuate throughout FY12 and then level off in FY13.

### Expenses

Expenses were reduced as compared to FY10. Staff consciously reduced spending to compensate for the reduction in income noted above.

### Assets

New assets purchased FY11 included a new vehicle for the Field Inspector, an ID card printer, a laptop computer for the Chief Inspector and a desktop computer for the Administrative Assistant.

One assets was disposed of which was the 2003 Ford Explorer that was mentioned above.

### Depreciation

Depreciation adjustments were made to account for the replacement of the 2003 Ford Explorer and to correct adjustments that were not correctly entered in the previous fiscal year.

Eric Smith  
Chief Inspector  
November 14, 2011

**NEVADA BOARD FOR THE REGULATION OF LIQUIFIED PETROLEUM GAS**  
**STATEMENT OF NET ASSETS**  
**June 30, 2011 and 2010**

	<u>2011</u>	<u>2010</u>
<b>ASSETS</b>		
Current Assets:		
Cash – Note 2	\$ 269,884	\$ 270,271
Accounts receivable	16,185	21,735
Prepaid expenses	1,651	1,594
Total current assets	<u>287,720</u>	<u>293,600</u>
Noncurrent assets:		
Fixed assets - Note 3	47,872	41,328
Less: Accumulated depreciation	(9,054)	(27,083)
Total noncurrent assets	<u>38,818</u>	<u>14,245</u>
<b>Total Assets</b>	<u><b>\$ 326,538</b></u>	<u><b>\$ 307,845</b></u>
<b>LIABILITIES</b>		
Current liabilities:		
Accounts payable	\$ 24,968	\$ 840
Accrued payroll	9,898	9,904
Deferred revenue	5,202	7,173
Total current liabilities	<u>40,068</u>	<u>17,917</u>
Noncurrent liabilities:		
Compensated absences	17,713	15,691
Total noncurrent liabilities	<u>17,713</u>	<u>15,691</u>
<b>Total liabilities</b>	<u><b>\$57,781</b></u>	<u><b>\$ 33,608</b></u>
<b>NET ASSETS</b>		
Invested in capital assets	\$38,818	\$ 14,245
Restricted for: - Note 4		
Capital equipment	28,497	60,898
Building	67,030	67,030
Legal reserve	123,886	123,886
Unrestricted	10,526	8,178
<b>Total net assets</b>	<u><b>\$ 268,757</b></u>	<u><b>\$ 274,237</b></u>

See notes to financial statements

**NEVADA BOARD FOR THE REGULATION OF LIQUIFIED PETROLEUM GAS**  
**STATEMENT OF REVENUES, EXPENSES AND CHANGES IN NET ASSETS**  
**For the year ended June 30, 2011 and 2010**

	<u><b>2011</b></u>	<u><b>2010</b></u>
<b>Operating revenues:</b>		
Licensing fees	\$181,480	\$186,565
Inspection fees	100,624	100,590
Gain on trade in of vehicle	2,400	-
Other fees and fines	19,855	35,116
Total revenues	<u>304,359</u>	<u>322,271</u>
<b>Operating expense:</b>		
Salaries and benefits	242,810	239,092
Automobile and travel	19,312	24,067
Operating expenses	35,439	31,401
Occupancy	7,800	7,800
Training	173	460
Depreciation	4,305	3,799
Total operating expenses	<u>309,839</u>	<u>306,619</u>
<b>Increase in operating net assets</b>	<u><b>(5,480)</b></u>	<u><b>15,652</b></u>
Increase in non-operating income - interest	-	25
<b>Increase in net assets</b>	<u><b>(5,480)</b></u>	<u><b>15,677</b></u>
Net assets at beginning of year, July 1	274,237	258,560
<b>Nets assets at end of year, June 30</b>	<u><u><b>\$268,757</b></u></u>	<u><u><b>\$274,237</b></u></u>

See notes to financial statement

**NEVADA BOARD FOR THE REGULATION OF LIQUIFIED PETROLEUM GAS**  
**STATEMENT OF CASH FLOWS**  
**For the year ended June 30, 2011 and 2010**

	<u>2011</u>	<u>2010</u>
<b>Cash Flows from Operating Activities:</b>		
Receipts from licensees & inspections	\$276,554	\$316,134
Other cash received	19,855	2,066
Payments to employees	(173,995)	(168,712)
Payments to vendors	(116,257)	(138,912)
Total cash flows from operating activities	<u>6,157</u>	<u>10,576</u>
<b>Cash Flows from Investing Activities</b>		
Interest income	-	25
Equipment purchases	(6,544)	-
Total cash flows from investing activities	<u>(6,544)</u>	<u>25</u>
Net (decrease) increase in cash	(387)	10,601
Beginning cash at June 30,	270,271	259,670
<b>Cash and Cash Equivalents at year's end, June 30,</b>	<u><u>\$269,884</u></u>	<u><u>\$270,271</u></u>
<b>Reconciliation of operating income to net cash Provided by operating activities:</b>		
Operating income (loss)	\$(5,480)	\$ 15,652
<b>Adjustments to reconcile operating income to net cash provided by operating activities:</b>		
(Decrease) increase in depreciation	(18,029)	3,799
(Decrease) increase in accounts receivable	5,550	(4,071)
(Decrease) increase in prepaid expense	(57)	250
Increase in accounts payable	24,128	36
(Decrease) increase in accrued payroll	(6)	356
(Decrease) in deferred revenue	(1,971)	(1,280)
Increase (decrease) in compensated absences	2,022	(4,166)
<b>Net cash provided by operating activities</b>	<u><u>\$6,157</u></u>	<u><u>\$10,576</u></u>

See notes to financial statement

**NEVADA BOARD FOR THE REGULATION OF LIQUIFIED PETROLEUM GAS**  
**NOTES TO FINANCIAL STATEMENTS**  
**June 30, 2011 and 2010**

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**NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

Background and reporting entity

The Nevada Board for the Regulation of Liquefied Petroleum Gas (Board) is composed of six members appointed by the governor as follows:

- (a) One member is a volunteer fireman in a rural area of the state; (b) One member is a fireman employed by the fire department of a city in this state; (c) Two members who:
  - i. Are or have been engaged in the sale or distribution of liquefied petroleum gas in this state; and
  - ii. Have a working knowledge of and actual experience in the daily operation of a business classified pursuant to the provisions of subsection 1 of NRS 590.575
- (d) Two members who are representatives of the general public.

The accompanying financial statements of the Board have been prepared in conformity with accounting principles generally accepted in the United States of America (GAAP) as prescribed by the Governmental Accounting Standards Board (GASB). The Board is not considered to be financially accountable for any other governmental entity since no other entities are considered to be controlled by or dependent on the board. Control or dependence is determined on the basis of budget adoption, funding and appointment of the respective governing board.

Financial statement presentation

The Statements of Net Assets, Revenues, Expenses and Changes in Fund Net Assets and Cash Flows report information on all activities of the Board. The Board is reported as a single enterprise fund.

The Statement of Net Assets presents the reporting entity's assets and liabilities, with differences reported as net assets. Net assets are reported in three categories:

*Invested net assets* consist of capital assets, net of accumulated depreciation. Capital assets of the Board have no related debt.

*Restricted net assets* result when constraints placed on net asset use are either externally imposed by creditors, grantors, contributors, and the like, or imposed by Board action.

*Unrestricted net assets* consist of net assets that do not meet the definition of the preceding category. Unrestricted net assets often have constraints on resources that are imposed by management, but can be removed or modified.

The Statement of Activities distinguishes operating revenues and expenses from non operating items. Operating revenues and expenses generally result from providing services and producing and delivering goods in connection with the fund's principal ongoing operations. All revenues and expenses not meeting this definition are reported as non operating revenues and expenses.

Management first applies unrestricted resources when an expense is incurred for purposes for which both restricted and unrestricted net assets are available.



**NEVADA BOARD FOR THE REGULATION OF LIQUIFIED PETROLEUM GAS**  
**NOTES TO FINANCIAL STATEMENTS**  
**June 30, 2011 and 2010**

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**NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)**

Measurement focus, basis of accounting

The financial statements are reported using the economic resources management focus and the accrual basis of accounting. Revenues are recorded when earned and expense are recorded when a liability is incurred, regardless of the timing of cash flows. Fees are recognized as revenue when the inspection is completed or license renewal is due. Grants and similar items are recognized as revenue as soon as eligible.

Cash and equivalents

Cash balances are invested as permitted by law and insured by the Federal Deposit insurance Corporation (FDIC) or collateralized by the bank at 102%. Temporary savings are invested in money market funds and insured by the Securities Investors Protection Corporation (SIPC). The Board considers all cash on hand as cash or cash equivalents.

Accounts receivable

No allowances for doubtful accounts have been established since management does not anticipate any material collection loss with respect to the balances shown as receivable. This amount is deemed 100% collectible.

Capital assets and Depreciation

All capital assets are recorded in the Statement of Net Assets at historical cost. Donated capital assets are valued at their estimated fair value on the date of donation. The Board defines capital assets as assets with a unit cost of \$2,000 or more and an estimated useful life in excess of one year. Depreciation is accumulated on a straight line basis over the estimated useful life of the asset, with one-half a year's depreciation taken in the year of acquisition and one-half in the final year. Useful life is estimated by management on the basis of their experience with similar assets.

Net Assets/Fund Balances

The difference between fund assets and liabilities is Net Assets.

Estimates

The Board uses estimates and assumptions in preparing the financial statements in conformity with accounting principles generally accepted in the United States of America. Those estimates and assumptions affect the reported amounts of assets and liabilities, the disclosure of contingent assets and liabilities, and the reported revenues and expenses. Accordingly, actual results could differ from those estimates.

Budgets and Budgetary Accounting

NRS 353.005 specifically exempts the Board from the requirements set forth in the State Budget Act. However, the Board prepares an annual budget for each fiscal year. A modified accrual basis is used in adopting the budget. The budget is used internally by the board and staff.

The Board Chairman appoints a budget committee in March of each year. The budget committee consists of the Chief Inspector and two Board members. The budget committee submits the proposed budget to the board at the May Board meeting for review and approval.

**NEVADA BOARD FOR THE REGULATION OF LIQUIFIED PETROLEUM GAS**  
**NOTES TO FINANCIAL STATEMENTS**  
**June 30, 2011 and 2010**

**NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)**

Unemployment liability

In the event an employee is terminated and eligible for unemployment benefits, the Board has elected to assume the liability and make payments to the employee and not be covered by the insurance provided by the Employment Security Division of the Department of Employment, Training and Rehabilitation.

Subsequent events

Subsequent events were evaluated through November 14, 2011 and are the date the statements were available to be issued.

Federal Income Taxes:

The Board has received a determination letter from the Internal Revenue Service stating the Board's income is excludable from gross income for federal income tax purposes. The Board is considered an exempt governmental agency in accordance with Internal Revenue Service Code Section 115.

**NOTE 2 - CASH**

The Board maintains cash balances at a commercial bank. The carrying amount of deposits at financial institutions at June 30, 2011 and 2010 was \$269,884 and \$270,910 the account is insured by the Federal Deposit Insurance Corporation for amounts up to \$250,000 and amounts in excess are collateralized. The financial institution's balance at June 30, 2011 and 2010 was \$ 269,884 and \$ 270,910 respectively.

**NOTE 3 - CAPITAL ASSETS**

Property and Equipment activity for the year ended June 30, 2011 was as follows:

	<b>Estimated Useful life (years)</b>	<b>June 30, 2010</b>	<b>Additions</b>	<b>Dispositions</b>	<b>June 30, 2011</b>
Vehicles	5	\$41,328	\$24,818	\$(22,334)	\$ 43,812
Equipment	5	-	4,060	-	4,060
		41,328	28,878	(22,334)	47,872
Accumulated depreciation		(27,083)	(4,305)	22,334	(9,054)
		\$14,245	\$24,573	-	\$38,818

Property and Equipment activity for the year ended June 30, 2010 was as follows:

	<b>Estimated Useful life (years)</b>	<b>June 30, 2009</b>	<b>Additions</b>	<b>Dispositions</b>	<b>June 30, 2010</b>
Vehicles	5	\$ 40,525	\$803	-	\$ 41,328
		40,525	803	-	41,328
Accumulated depreciation		(22,481)	(4,602)	-	(27,083)
		\$ 18,044	\$(3,799)	-	\$14,245

**NEVADA BOARD FOR THE REGULATION OF LIQUIFIED PETROLEUM GAS**  
**NOTES TO FINANCIAL STATEMENTS**  
**June 30, 2011 and 2010**

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**NOTE 4— RESTRICTED NET ASSETS**

The Board has restricted ending Net Assets as follows:

	<u>2011</u>	<u>2010</u>
Capital equipment fund	\$ 28,497	\$ 60,898
Building fund	67,030	67,030
Legal reserve	123,886	123,886
<b>Total restricted net assets</b>	<u><u>\$219,413</u></u>	<u><u>\$ 251,814</u></u>

**NOTE 5 – RISK MANAGEMENT**

The Board is covered by commercial insurance purchased from independent third parties. There have been no claims from these risks during the years ended June 30, 2010 or 2011. Settled claims from these risks have been minimal in the past. The Board has reserved \$123,886 for 2011 and 2010 respectively of net assets for potential future settlements.

**NOTE 6 – POST RETIREMENT BENEFITS**

Employees of the Board are entitled to post retirement health care benefits from the State of Nevada. The Board pays an assessment to fund these future benefits at a rate determined by the State Department of Administration. During the years ended June 30, 2011 and 2010, the rate of assessment was .658% and \$681 per employee per month in 2011 and 2.296% and \$627 in 2010. The total amounts paid for years ended 2011 and 2010 was \$17,359 and \$18,589. The Board has no additional liability for unfunded benefits.

**NOTE 7 – RETIREMENT PLAN**

The Board contributes to the Public Employees Retirement System of Nevada (PERS), a cost-sharing multiple-employer pension plan administered by the Retirement Board of PERS. PERS provides retirement and disability benefits, annual cost-of-living adjustments, and death benefits to plan members and beneficiaries. Nevada Revised Statutes establish and amend benefit provisions to be administered by the Retirement Board. The Public Employees Retirement Board of the State of Nevada issues a publicly available financial report that includes financial statements and required supplementary information for PERS.

The Board pays all contributions. PERS basic funding policy provides for periodic contributions at a level pattern of cost as a percentage of salary throughout an employee's working lifetime, in order to accumulate sufficient assets to pay benefits when due. Although PERS receives an actuarial valuation on an annual basis indicating the contribution rates required to fund PERS on an actuarial reserve basis, both for funding purposes and GASB disclosure purposes, contributions actually made are according to the required rates established by the Legislature. The employer paid contribution rate, as a percentage of covered payroll for the years ended June 30, 2011 and 2010, was 21.5 % for regular members.

The Board's contribution to PERS for the year ended June 30, 2011 and 2010 was \$38,269 and \$38,251, equal to the required statutory contribution for the year.

## **SUPPLEMENTARY INFORMATION**

**NEVADA BOARD FOR THE REGULATION OF LIQUIFIED PETROLEUM GAS  
BUDGETARY COMPARISON SCHEDULE  
For the Year Ended June 30, 2011**

	<b>Original</b>			
<b>Revenue</b>	<b>Budget</b>	<b>Budget</b>	<b>Actual</b>	<b>Variance</b>
Service fees:				
Certificate of competency fees	\$9,425	\$9,425	\$4,510	\$(4,915)
Inspection fees	112,405	112,405	100,624	(11,781)
License application fees	4,200	4,200	9,030	4,830
Licensing fees	185,685	185,685	181,480	(4,205)
Qualified persons fees	5,305	5,305	2,195	(3,110)
Administrative recovery fees	1,622	1,622	1,438	(184)
Interest income	120	120	11	(109)
Other income	3,400	3,400	5,071	1,671
<b>Total Revenue</b>	<b>322,162</b>	<b>322,162</b>	<b>304,359</b>	<b>(17,803)</b>
<b>Expenses</b>				
Personnel	246,039	246,039	242,810	3,229
Travel	26,240	26,240	19,312	6,928
Services & supplies	25,653	25,653	22,759	2,894
Occupancy	6,500	6,500	7,800	(1,300)
Contractual services	17,400	17,400	17,157	243
Capital outlay	-	-	-	-
<b>Total Expenditures</b>	<b>321,832</b>	<b>321,832</b>	<b>309,838</b>	<b>11,994</b>
Excess of revenues over (Under) expenditures	330	330	(5,479)	(5,809)
Unrestricted net assets, July 1,	8,178	8,178	8,178	
Transferred to reserves	-	-	32,400	
<b>Unrestricted Net Assets, June 30</b>	<b>\$8,508</b>	<b>\$8,508</b>	<b>\$35,099</b>	
<b>Reconciliation:</b>				
Prepaid expenses			\$1,652	
Reconciling prior year balances			1,387	
Accrued payroll expenses			(27,612)	
Unrestricted net assets per Statement of Net Assets			<b>\$10,526</b>	

## **COMPLIANCE**

**AUDITOR'S REPORT ON COMPLIANCE WITH NEVADA REVISED STATUTES AND  
REGULATION BASED ON AN AUDIT OF FINANCIAL STATEMENTS**

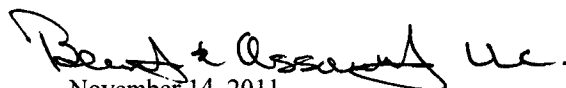
To the Members  
Nevada Board for the Regulation of Liquefied Petroleum Gas  
Carson City, Nevada

I have audited the entity wide financial statements of the Nevada Board for the Regulation of Liquefied Petroleum Gas (Board), as of and for the years ended June 30, 2011 and have issued my report thereon dated November 14, 2011. The financial statements of the Board as of June 30, 2010 were audited by another auditor whose report dated November 29, 2010 expressed an unqualified opinion on those statements. I conducted my audit in accordance with U.S. generally accepted auditing standards.

Compliance

As part of obtaining reasonable assurance about whether the Nevada Board for the Regulation of Liquefied Petroleum Gas financial statements are free of material misstatement, I performed tests of its compliance with certain provisions of laws, regulations, contracts, and grants, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. Compliance with Nevada Revised Statutes (NRS) and regulations (Nevada Administrative Code) applicable to the Nevada Board for the Regulation of Liquefied Petroleum Gas is the responsibility of the Board's management. Providing an opinion on compliance with those provisions was not an objective of my audit, and accordingly, I do not express such an opinion. In connection with my audit, nothing came to my attention that caused me to believe that the Board had not complied with NRS 354 and other Nevada Revised Statutes and regulations, insofar as they relate to accounting matters. However, my audit was not directed primarily toward obtaining knowledge of such non-compliance.

This report is intended solely for the information and use of the Board of Directors, management and others within the organization and the Nevada Legislative Counsel Bureau. This restriction is not intended to limit distribution of this report, which is a matter of public record.

  
November 14, 2011  
Carson City, Nevada



Nevada Board for the Regulation of Liquefied Petroleum Gas  
Post Office Box 338 • Carson City, Nevada 89702  
Phone: (775) 687-4890 • Fax: (775) 687-3956  
www.lpg.nv.gov • admin@lpg.nv.gov

## Board Meeting Minutes January 20, 2012

Board Member	1st	2nd	Aye	Nay	Abs	Reason
Blair Poulsen						
Orrin Johnson						
Mike Eriksen						
Alan Kightlinger						
Steve Tognoli						
Vacant						

**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 9:17 am by Blair Poulsen, Chairman.

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

Board members:

- Blair Poulsen – representing Industry
- Orrin Johnson – representing propane consumers of Nevada - *Telephone - joined meeting at 10:10 am*
- Mike Eriksen – representing Industry
- Alan Kightlinger – representing City Fire Service - *Telephone*
- Steve Tognoli – representing Rural Fire Service

Staff:

- Eric Smith – Chief Inspector
- Rick Drake – Field Inspector
- Katie Bavaro – Administrative Assistant
- Harry Ward - Deputy Attorney General - *Telephone*



Audience: Lisa Thomas - AmeriGas - *Telephone*  
Jason Aiazzi - Propane - *joined meeting at 9:27am*  
Alexis Miller - Lobbyist - *Telephone - joined meeting at 9:35 am*  
Curt DeRosa - Ferrellgas - *Telephone - joined meeting at 12:20 pm*

### 3) Public and Industry Comments

There were none.

### 4) **\*Discussion for possible action** the approval of the agenda.

Mr. Poulsen entertained a motion to approve the agenda.

**Motion:** Steve Tognoli: Motioned to approve the agenda.  
**Second:** Mike Eriksen  
**Discussion:** None  
**In Favor:** Mike Eriksen, Steve Tognoli, Alan Kightlinger and Blair Poulsen  
**Opposed:** None

### 5) **\*Discussion for possible action** the approval/disapproval/changes of the minutes of the December 16, 2011 Board meeting.

**Motion:** Steve Tognoli: Motioned to approve the minutes as presented.  
**Second:** Mike Eriksen  
**Discussion:** None  
**In Favor:** Mike Eriksen, Steve Tognoli, Alan Kightlinger and Blair Poulsen  
**Opposed:** None

### 6) **\*Discussion for possible action** the following information concerning the Board that will be subject to review by the Sunset Subcommittee of the Legislative Commission:

Mr. Smith put the document on the viewer and made changes to the document as each of the areas were discussed.

Mr. Eriksen brought a draft copy of the Veterinarians Board's (Vet Board) draft presentation of the information they are presenting to the Sunset Subcommittee. Mr. Eriksen also had spoken with a lobbyist, Ms. Alexis Miller, willing to represent the Board pro bono with the upcoming proceedings. After review of the draft the Board concurred that they liked the way the presentation was set up.

**a) Governing Structure of the Board** - there were grammatical and abbreviation changes to this area only.

**b) Statement of the objectives and programs of the Board** - The Board members discussed what format for the report they wanted. Mr. Tognoli commented that the report should be simple and straight to the point. The Board should present its report in a similar form as the Vet Board with references and pictures of fire trainings, incidents as well as other references to be included in the back of the document.

***Ms. Alexis Miller joined the meeting at 9:35 am via telephone***

Ms. Miller introduced herself and stated she was willing to volunteer her time and expenses to the Board. Mr. Tognoli has some questions for Ms. Miller as to who Ms. Miller had previously represented and what if

anything the Board had to do to secure Ms. Millers services. Mr. Ward stated that no action was necessary and he appreciated her offer to lobby on behalf of the Board. Mr. Poulsen thanked Ms. Miller for working with the Board and invited her to work with Mr. Eriksen and Mr. Smith.

***Ms. Miller left the meeting at 9:52 am***

The duties of the Board were reviewed and changes made with the Board agreeing that adding "education" into the Board's mission statement and throughout different areas in the document was appropriate to stay consistent.

A discussion started with reviewing the statement of objectives and the Board agreeing that the category for Education should include "Training" in the heading and to include a category called "Public" under that heading. Mr. Eriksen suggested re-sorting the list under this category may be appropriate. There was discussion on what to include as educational tools the Board distributes as references such as the Consumer Bill of Rights, NPGA Coloring Book and the Snow Load Warning door hanger to the document. The discussion returned to the "duties" section with some re-wording and the "LPG" abbreviation added.

***Mr. Johnson joined the meeting at 10:10 am via telephone***

Mr. Johnson was given time to locate and review the area of the draft report that was being discussed at the present time and was asked for comments. Mr. Johnson added his comments to the discussion.

***Mr. Bertrand joined the meeting at 10:24 am***

**Agenda item #11 taken out of order**

**11) \*Discussion for possible action** the possible acceptance of the audited financial statement for the years ending June 30, 2011 and 2010 and the possible movement of funds into the reserve accounts.

Mr. Bertrand introduced himself as the new Auditor to the Board and explained how he conducted the audit. Mr. Bertrand recommended any item over 90 days old should be written off and reconciled. Mr. Bertrand reported that overall the accounting for the LPG Board is in very good shape and the controls are in good shape, Mr. Smith and his staff are doing a great job. The Board's oversight and the reports he has seen is phenomenal. Mr. Bertrand commented that the Board has very good overall controls for the budget and to keep doing what they have been doing. There has been little change from year to year with the budget being very stable. There were a few adjustments to the capital accounts that were never made that have been done now. Mr. Smith clarified that the items that were over 90 days were refund checks the Board issued that were never cashed and some of them went back several years. Mr. Bertrand relayed that the State Treasurer's office requires a report every year for these types of items due by November 1st. There is amnesty for unclaimed items that have not been reported if filed by May 31st. The Board is required to send a check to the Treasurer's office once it is written off. It was suggested that a separate line item should be added until the monies are turned over to the Treasurer. Mr. Johnson thanked the auditor as well as Mr. Eriksen who also thanked the staff for doing such a great job. Mr. Tognoli commented that this was a true government audit and thought it really great for the Board to have had the audit done this way. Mr. Poulsen thanked Mr. Bertrand for an excellent job. Mr. Bertrand thanked the Board for their appreciation and enjoys working for a Board or group that really cares about their financial results. Mr. Smith questioned, with the negative balance for the year, whether or not the Board should take money out of the reserve accounts to make up for it. Mr. Bertrand stated that the negative amount was due to depreciation values that were never adjusted and does not affect the cash in the account. He suggested that the reserve accounts remain in tact for future purchases, etc. With no further questions Mr. Poulsen entertained a motion.

**Motion:** Mike Eriksen: Motioned to approve the audited financial statement from Bertrand & Associates for FY2011 and 2010.  
**Second:** Steve Tognoli  
**Discussion:** None  
**In Favor:** Mike Eriksen, Steve Tognoli, Alan Kightlinger, Orrin Johnson and Blair Poulsen  
**Opposed:** None

***Mr. Bertrand left the meeting at 10:40 am***

***The Board returned to agenda item #6***

Mr. Tognoli wanted to revisit the "Governing Structure of the Board" item and referred to the Vet Board's draft to where the date their Board was created had been inserted and that the phrase "governed by and enforces" naming the NRS or NAC be added to the Board's report.

The Board's creation date was determined as 1957 and was added to the "Created by what Authority" item as well as additional verbage from NRS 590.485 (1).

Comments were made about possibly adding a short bio on the Board members in the corresponding item as well as statements regarding the efficiency of the Board and Staff.

Mr. Poulsen reviewed the report items with Board members. The "Education" notation was not added to the document previously but was done so at this time. Foot notes with pictures or articles should possibly be added to the "Statement of Objectives sub-category Emergency Response" item. Other changes made to the remaining sub-categories were discussed and noted.

***The Chairman called a short recess at 11:25 am***

***The meeting resumed at 11:35 am***

Mr. Johnson, Mr. Tognoli and Mr. Eriksen will form the committee to review the draft of the presentation to be reviewed at the next meeting even after submission.

**c) Conclusion concerning the effectiveness of the objectives and programs of the Board** - the Board members agreed to expand the response on this item. Mr. Poulsen called for any additions to this item from Board members or Staff. Mr. Smith broached the subject of terrorism and if the need to address this in the report is necessary.

**d) Any duplication of services with those offered by another Board or recommendation for consolidation with another Board** - There were none. Mr. Eriksen suggested to the Board that although there is no other Board or Commission that currently performs the Boards duties, the Board should be prepared to provide an answer to this question if challenged on their response of "None" provided on this form. Mr. Poulsen directed the committee to formulate an answer to this question if called upon.

**e) Any recommendation for statutory changes which are necessary for the Board to carry out its objectives and programs.** - There were none. Mr. Tognoli suggested that the Board provide an explanation of the process it goes through to change the Board's statutes. Mr. Poulsen called for a motion at this time to close this agenda item. Mr. Ward suggested that the Chairman call for any public comment at this time. There was none.

**Motion:** Steve Tognoli: Motioned to approve the draft as developed today and to appoint the committee to consist of Mr. Johnson, Mr. Eriksen and himself to review and finalize the report document.

**Second:** Mike Eriksen

**Discussion:** None

**In Favor:** Mike Eriksen, Steve Tognoli, Alan Kightlinger, Orrin Johnson and Blair Poulsen

**Opposed:** None

Mr. Poulsen requested that Mr. Smith send out all the draft changes to the Board members and include any attachments.

**7) \*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**

There were none

#### **B) Class 2 Licenses**

Mr. Drake reported that all the applications were reviewed and they all appear to be in order and Staff recommends approval.

**Motion:** Mike Eriksen: Moved to approve agenda item #7-B #1-6 as presented by Staff.

**Second:** Orrin Johnson

**Discussion:** None

**In Favor:** Mike Eriksen, Steve Tognoli, Alan Kightlinger, Orrin Johnson and Blair Poulsen

**Opposed:** None

1. Barcomb Management Group, Inc. dba: **7-Eleven #22629B**; 3701 N. Carson St., Carson City, NV 89701
2. Kenneth Smitreski dba: **7-Eleven #23074D**; 1060 US Hwy 395, Gardnerville, NV 8941
3. Victor Luis Irizarry dba: **Quick Corner Mini Mart**; 450 N. Water St., Henderson, NV 89015
4. Lowe's HIW dba: **Lowe's #3034**; 1355 Scheels Drive, Sparks, NV 89434
5. Terrible Herbst, Inc. dba: **Terrible's #314**; 8594 Blue Diamond Rd., Las Vegas, NV 89178
6. Lake's Market, Inc. dba: **Midway Market**; 975 Broyles Ranch Rd., Battle Mountain, NV 89820

#### **C) Class 3 Licenses**

Mr. Drake reported that this application is a re-license and Staff recommends approval.

**Motion:** Steve Tognoli: Motioned to approve agenda item #7- C Class 3 license for Carrier Corporation.

**Second:** Alan Kightlinger

**Discussion:** None

**In Favor:** Mike Eriksen, Steve Tognoli, Alan Kightlinger, Orrin Johnson and Blair Poulsen

**Opposed:** None

1. **Carrier Corporation**; 400 Ironwood Dr., Salt Lake City, UT 84115

#### **D) Class 4 Licenses**

Mr. Drake stated one is a new licensee and one is an ownership change. All applications appear to be in order and Staff recommends approval.

**Motion:** Mike Eriksen: Moved for approval of agenda item #7-D #1 & 2.  
**Second:** Steve Tognoli  
**Discussion:** None  
**In Favor:** Mike Eriksen, Steve Tognoli, Alan Kightlinger, Orrin Johnson and Blair Poulsen  
**Opposed:** None

1. Coyote Stations, Inc. dba: **Coyote Corner #3**; 3971 N. Kellogg, Pahrump, NV 89061
2. Wasef Qaraman LLC dba: **Glendale Arco AM/PM**; 2300 E. Glendale Blvd., Moapa, NV 89025

#### **E) Class 5 Licenses**

Mr. Smith withdrew the application for being incomplete.

#### **8) Board Member Comments**

Orrin Johnson - No Comment  
Alan Kightlinger - No Comment  
Steve Tognoli - No Comment  
Mike Eriksen - No Comment  
Blair Poulsen - No Comment

#### **9) Deputy Attorney General's comments.**

Mr. Ward had no comments at this time.

**10) 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 expanded on his written report and added that he and Mr. Drake were asked by the Fallon Fire Department to coordinate the removal of an overturned LPG transport. Mr. Smith commented that Fallon Fire Department had the site well managed and that there was no leakage from the vehicle or injury to the driver. Mr. Smith commented that since Mr. Drake had never participated in an uprighting of this type of vehicle it turned out to be a great training exercise and explained to the Board how the truck was drained of some of the product and uprighted. As the process progressed, Mr. Smith was impressed that one of the firefighters on the scene had enough sense to know that the premier safety feature of the transport was disabled and questioned what should be done in case any problems occurred. The Fire Department was very glad that the LP-Gas Board staff were on site. Mr. Smith reported on his meeting for the NFPA 58 Technical Committee and some of the topics that were discussed were things the Board has already adopted. Mr. Smith also commented that some of the issues the committee was looking at is to be more specific on is vehicle protection as well as the fire extinguisher requirements for locations that have cylinder cages. Attached to Mr. Smith's report was the Governor's letters on regulation changes and letters of intent. There was also a memo stating the state mileage rate will remain the same as last year.

**Agenda item #11 was taken out of order**

**12) \*Discussion 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. Tognoli stated this was a simple report, not too much going on. There are only six overdue invoices past 30 days this month and his goal is to get a good update report for the CD's for next month. Mr. Tognoli entertained any questions from the Board.

Motion: Alan Kightlinger: Moved to accept the Oversight Committee report.  
Second: Orrin Johnson  
Discussion: None  
In Favor: Mike Eriksen, Steve Tognoli, Alan Kightlinger, Orrin Johnson and Blair Poulsen  
Opposed: None

Mr. Eriksen read the budget report and stated that the fiscal year is 50% expended. Income and expenses are in good shape even though there was a \$1,151.41 loss for the month.

Motion: Steve Tognoli: Motioned to approve the budget committees report as presented.  
Second: Orrin Johnson  
Discussion: None  
In Favor: Mike Eriksen, Steve Tognoli, Alan Kightlinger, Orrin Johnson and Blair Poulsen  
Opposed: None

**13) \*Discussion for possible action** the review of the Board's current fee structure and how that will be affected by the new requirement to accept credit cards.

Mr. Smith reported that the Board was now set-up to take credit cards and e-payments at this time. Mr. Ward had no comment.

**14) \*Discussion for possible action** the determination of suitability of the 2012 edition of NFPA 54 for Nevada pursuant to NAC 590.610.

Mr. Smith commented that the substantive change report was sent out to the industry via email as well as the Board members and that when reviewing the changes being made to the new version of NFPA 54, none of the changes appeared to him as out of the ordinary although there is some problem with corrugated stainless steel tubing. Mr. Poulsen would like this item to remain on the agenda.

**15) \*Discussion for possible action** the Board's review and possible recognition of certifications for the purpose of meeting the Continuing Education Unit (CEU) and/or reciprocity requirements set forth in NAC 590.100 to 590.687.

Mr. Smith explained this item is in reference to reciprocity and voiced his concern on the need for third party verification of testing. Ms. Thomas spoke on behalf of AmeriGas' trainers and requirements of new hires taking training classes. Mr. Aiazzi added that these training classes needed to be completed within 30 days of hire. Mr. Poulsen offered Mr. DeRosa a chance to speak on behalf of Ferrellgas' certification program. All the companies representatives assured the Board that their training and testing programs would satisfy Mr. Smith's and the Board's concern about third party verification. Mr. Eriksen commented on the necessity of proper training and knowledge to perform job duties without incident. There were comments from Mr. Poulsen and Mr. Smith regarding the larger propane companies being/are able to provide proper training and certification. Ms. Thomas offered that AmeriGas will not eliminate the need for the Board's CETP program and will continue to send their other employees. The certifications that are

being requested are primarily for the new hires. Mr. Poulsen brought up the fact that the Board staff still could spot check these training programs and request materials being used as they have previously. Mr. Smith stated he feels alot more comfortable after speaking with the company representatives about the programs and reviewing some of the materials and requested that, if the Board approves, Staff can change the categories requested on the COC application if the training certification being requested does not meet the category shown on the application. Mr. DeRosa agrees with Mr. Smith's concerns about properly trained employees. Mr. Eriksen questioned Mr. DeRosa on Ferrellgas' committment to CETP training. Mr. DeRosa replied that Ferrellgas is sticking to their own program at this time but trying to mirror CETP as much as possible. Mr. Smith did question if there were proficiency check offs for Ferrellgas' training program and any proof of course completion. Mr. Poulsen summarized the discussion by naming the criteria in which Staff can make a decision on accepting the training certifications - 1) reviewing the curriculum and verifying it meets Staff's criteria and 2) Company needs to certify in writing to the Board that employee has taken and passed the particular curriculum applied for. Mr. Poulsen suggested that the CEU portion of the Board's website should contain the criteria in which certifications will be accepted and/or reviewed by the Board. The Board members and Staff agreed on the conditions set to grant reciprocity to individual company training programs. Mr. Poulsen entertained a motion.

Motion: Steve Tognoli: Motioned to approve item #15 - Recognition of Certifications for CEU/Reciprocity requirements for #1-6

Second: Mike Eriksen

Discussion: Mr. Eriksen questioned if Board Staff was still going to review the materials presented. Mr. Smith stated that he still wanted to review the applications and materials to determine if the right COC categories were selected and either add or delete categories according to the criteria. It was determined that this item will be revisited at the next meeting and the motion was withdrawn with the approval of the second.

**16) \*Discussion for possible action** the Board and Nevada Division of Environmental Protection (Department of Conservation and Natural Resources) coordinating their respective authorities governing LP-Gas facilities.

Mr. Smith reported that Mark Zusy is no longer involved with the C.A.P.P. Program.

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

It was determined that items #6 and #15 will remain on the agenda and no new items will be added.

**18) \*Discussion for possible action** the approval of Board members' compensation, per diem and travel expenses.

Mr. Tognoli requested an additional day for preparing the Oversight Committee Report.

Motion: Mike Eriksen: Moved to approve the per diem and compensation as submitted by the Board members.

Second: Steve Tognoli

Discussion: None

In Favor: Mike Eriksen, Steve Tognoli, Alan Kightlinger, Orrin Johnson and Blair Poulsen

Opposed: None

**19)** Public and Industry comments.

Mr. Aiazzi thanked Mr. Smith for reviewing the materials and working with AmeriGas.

**20) \*Adjourn.**

Mr. Poulsen entertained a motion to adjourn.

Motion: Steve Tognoli: So moved.

Second: Mike Eriksen

Discussion: None

In Favor: Mike Eriksen, Steve Tognoli, Alan Kightlinger, Orrin Johnson and Blair Poulsen

Opposed: None

*Meeting adjourned at 12:44pm*





Nevada Board for the Regulation of Liquefied Petroleum Gas  
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## Board Meeting Minutes December 16, 2011

Board Member	1st	2nd	Aye	Nay	Abs	Reason
Blair Poulsen			<i>B</i>			
Orrin Johnson			<i>X</i>			<i>telephone</i>
Mike Eriksen		<i>X</i>	<i>ME</i>			
Alan Kightlinger						<i>Not Present</i>
Steve Tognoli	<i>X</i>		<i>ST</i>			
Vacant						

**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 10:03 am by Blair Poulsen, Chairman.

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

Board members:

- Blair Poulsen – representing Industry
- Orrin Johnson – representing propane consumers of Nevada
- Mike Eriksen – representing Industry - *telephone*
- Alan Kightlinger – representing City Fire Service
- Steve Tognoli – representing Rural Fire Service

Staff:

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

Audience:

- Dave Turner - Turner Gas Company - *telephone - joined meeting at 10:16am*
- Lisa Jennings - Turner Gas Company - *telephone - joined meeting at 10:16am*

### 3) Public and Industry Comments

There were none.

### 4) **\*Discussion for possible action** the approval of the agenda.

Mr. Poulsen entertained a motion to approve the agenda.

**Motion:** Orrin Johnson: Moved to approve the agenda.  
**Second:** Steve Tognoli  
**Discussion:** None  
**In Favor:** Alan Kightlinger, Steve Tognoli, Orrin Johnson, Mike Eriksen and Blair Poulsen  
**Opposed:** None

### 5) **\*Discussion for possible action** the approval/disapproval/changes of the minutes of the November 18, 2011 Board meeting.

**Motion:** Steve Tognoli: Motioned to approve the minutes of the November 18, 2011 as presented.  
**Second:** Orrin Johnson  
**Discussion:** None  
**In Favor:** Steve Tognoli, Orrin Johnson, Mike Eriksen and Blair Poulsen  
**Opposed:** None  
**Abstained:** Alan Kightlinger

### 6) **\*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 explained that the class 1A license was an existing installation formerly operated by Heritage/Bi-State Propane. The application appears to be in order and recommends approval. Mr. Smith also noted that he and Mr. Drake found out that this facility has been in operation for the past 3 months through the Butane Propane News.

Mr. Kightlinger questioned whether the qualified person listed on the application meets the new Certificate of Competency (COC) qualifications. Mr. Smith confirmed that the qualified person is in compliance with the new qualifications. Mr. Kightlinger had concerns on the safety of the site since the qualified person is over 400 miles away. There were more questions and Mr. Poulsen decided to move past agenda item #6A until all questions could be answered.

#### B) Class 2 Licenses

Mr. Smith reported that there were 8 Class 2B applications and all appear to be in order and recommends approval.

**Motion:** Orrin Johnson: Motioned to approve agenda item #6B #1-8.  
**Second:** Alan Kightlinger

Discussion: None  
In Favor: Alan Kightlinger, Steve Tognoli, Orrin Johnson, Mike Eriksen and Blair Poulsen  
Opposed: None

1. **Stagecoach Country Market**; 8230 Hwy 50 East, Stagecoach, NV 89408
2. Aman Singh dba: **7-Eleven #25586**; 1705 S. Las Vegas Blvd., Las Vegas, NV 89104
3. Dolgen Midwest, LLC dba: **Dollar General #13389**; 2224 S. Nellis, Las Vegas, NV 89142
4. BFB Corporation Inc. dba: **Mr. Liquor**; 10670 S. Maryland Pkwy, Henderson, NV 89052
5. Ralphs Grocery Company dba: **Food 4 Less #799**; 8180 S. Las Vegas Blvd., Las Vegas, NV 89123
6. Walgreen Co. dba: **Walgreens #12488**; 1280 Fremont St., Fernley, NV 89408
7. America's Mart, LLC dba: **America's Mart**; 8816 S. Eastern Ave., Las Vegas, NV 89123
8. Kuldip Judge dba: **7-Eleven #16671C**; 4055 S. Eastern, Las Vegas, NV 89119

### C) Class 3 Licenses

There were none.

### D) Class 4 Licenses

Mr. Smith withdrew item #3, Incline 76, due to being incomplete and recommended approval for items #1,2,4 & 5. Mr. Kightlinger questioned whether the supplier out of Utah for item #2 is currently licensed with the Board. Mr. Smith confirmed the suppliers active license status.

Motion: Alan Kightlinger: Moved to accept #6-D #1,2,4 &5 as a consent agenda.  
Second: Orrin Johnson  
Discussion: None  
In Favor: Alan Kightlinger, Steve Tognoli, Orrin Johnson, Mike Eriksen and Blair Poulsen  
Opposed: None

1. **Stagecoach Country Market**; 8230 Hwy 50 East, Stagecoach, NV 89429
2. Commercial Capitalists, Inc. dba: **Alamo RV Park**; 115 Broadway St., Alamo, NV 89001
4. Midjit Market, Inc. dba: **Green Valley Grocery**; 902 S. Boulder Hwy, Henderson, NV 89015
5. Krol Holdings, LLC dba: **McCarran Mart**; 187 E. Greg St., Sparks, NV 89431

### E) Class 5 Licenses

Mr. Smith explained that this applicant is proposing to install an 18,000 gallon tank for temporary use.

### Lisa Jennings and Dave Jones with Turner Gas joined meeting at 10:16am

Mr. Smith started his explanation of the proposed Port-A-Pac for temporary storage and stated they are not that common in Nevada. Mr. Smith deferred to Mr. Jones to explain why this installation will only be temporary vs. permanent. Mr. Jones responded that this is a new facility and they wanted to get through the winter with this temporary set-up and later on decide if they needed a more permanent set-up. Mr. Smith explained the time frame of the application and paraphrased the code for the Board on Port-A-Pacs and voiced his concerns about the container not meeting ASME codes and DOT requirements and the distance from the container to the ground. Mr. Jones deferred to Ms. Jennings on additional questions regarding the tank. Ms. Jennings stated that she did not have the engineered stamped drawings at this time but did have the drawings from Texas Trailer for the Port-A-Pac. There was discussion on Mr. Smith's concerns and proof of compliance. Mr. Johnson questioned whether Ms. Jennings could obtain the documentation prior to the end of the meeting. Mr. Poulsen was concerned that the appropriate ASME and DOT data was not available and that the Board did not have enough data to make a decision. The discussion continued with Mr. Smith being concerned about the location being without heat at this time of year. Mr. Johnson stated, based on the need for heat, that if the Board had some level of comfort to approve the license, the

installation could be inspected prior to the next meeting. Another concern was the blocking of the axles and stabilization of the Port-A-Pac. Mr. Kightlinger suggested that heavy timber (nominal 8x8 thickness) to block the axles, considered by the fire code to be non-combustible, with the Chief Inspector's approval, would be acceptable to block the axles. The Board decided that the applicant would be given 3 days to prepare for the location to be inspected by Mr. Smith. Mr. Smith would be provided with the modification data plate information, shown that the appropriate blocking, in compliance with NFPA 58, is in place as well as the rest of the installation being subject to inspection by Wednesday or Thursday of next week. The DOT compliance will need to be verified as well.

**Motion:** Orrin Johnson: Moved to approve item #6-E sub item #1.  
**Second:** Alan Kightlinger  
**Discussion:** Mr. Kightlinger stated that the Board supports the findings of the Chief Inspector and wanted the record to reflect that the inspection and requested information must be met.  
**In Favor:** Alan Kightlinger, Steve Tognoli, Orrin Johnson, Mike Eriksen and Blair Poulsen  
**Opposed:** None

1. Barrick Gold of North America, Inc. dba: **Bald Mountain (Mooney)**; SR 892, Ely, NV 89301

**Kim Jacobus with Turner Gas Company joined the meeting at 10:44am.**

**Mr. Poulsen returned to item #6A Class 1 license, Turner Gas, Hazen Nevada.**

Mr. Smith questioned who was going to be unloading the rail cars at this location. Mr. Jones offered that Mr. Steve House will work in that capacity. Mr. Smith questioned if Mr. House was local and stated that Mr. House will need to obtain a Certificate of Competency enabling him to load and unload railcars. Mr. Jones clarified that Mr. House was not authorized to unload railcars at this time and that if a railcar needed to be unloaded that he would be able to do it. Mr. Poulsen questioned if this location has been operational. Mr. Jones confirmed the location's operation for the past few months. Mr. Poulsen stated his concern with rail facilities operating within Nevada that have not been approved by the Board. Mr. Smith offered that the facility had recently been upgraded and is up to code. Mr. Poulsen stressed to all Turner employees that operating outside of the Board could jeopardize their license and to adhere to the Chief Inspector's training and safety requirement about loading and unloading railcars.

**Motion:** Alan Kightlinger: Moved for passage with the statement that a certified trained and licensed operator be in attendance to load and unload the railcars.  
**Second:** Orrin Johnson  
**Discussion:** None  
**In Favor:** Alan Kightlinger, Steve Tognoli, Orrin Johnson, Mike Eriksen and Blair Poulsen  
**Opposed:** None

1. **Turner Gas Company (Hazen)**; 11000 Hwy 50 East Alt., Hazen, NV 89408

Mr. Poulsen thanked the Turner representatives for their time and wished them Happy Holidays. Mr. Smith will contact Mr. Jones after the meeting with more information. Mr. Jones wished everyone Happy Holidays and thanked the Board for their time.

## **7) Board Member Comments**

Alan Kightlinger - Stated he was back for the winter and would try to attend future meetings.  
Steve Tognoli - No Comment  
Orrin Johnson - No Comment  
Mike Eriksen - Had no comments but wants to discuss the Sunset Commission letter. It will be

discussed under the Chief Inspectors report.  
Blair Poulsen - No Comment

## **8) Deputy Attorney General's Report.**

Mr. Ward had nothing to report at this time but commented that it was a pleasure to represent the Board.

## **9) 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 the 3 live fire simulators have been completed and will be tested. They were made for the Fire Marshal's office and were paid for by AmeriGas in the settlement from the incident in 2006. There was nothing new to report from the Governor's office. Mr. Smith also reported that the NFPA is now offering partial reimbursement for attending committee meetings. The thought being that it would be better for the NFPA to reimburse the Board for the expenses. Mr. Smith will provide more information as it becomes available. Regarding the recent license application using a Port-A-Pac, Mr. Smith thought that in the future the Board may want to pre-approve the specific tank for use at different locations with the location being approved at the time of application. Mr. Smith relayed a problem he had experienced with certain OPD valve gaskets being cracked or leaking and inquired if the industry had the same problem. Mr. Smith also had received minutes from the Cylinder Exchange Commission meeting where the same thing had been discussed and it appears that it is primarily the Sherwood valves that are having issues which are not being manufactured anymore.

## **Mr. Johnson left the meeting at 11:03 am and resumed attendance on the telephone at 11:05am.**

Mr. Eriksen clarified that it was the gasket and not the valve stems that were leaking. Mr. Smith suggested that when filling cylinders that the valve gaskets should be checked for cracks. Mr. Poulsen suggested that the Board should provide pictures and a copy of the Cylinder Exchange Commission's minutes and notify the industry of this problem. Mr. Smith will check on the public availability of the minutes and will take additional pictures to enclose with the letter. Mr. Poulsen would like to follow-up on this issue and add it to next month's agenda.

Mr. Smith addressed the Sunset Commission (the Commission) letter at the request of Mr. Eriksen. Mr. Smith received a call from the Commission prior to receiving the letter and let them know that he had an issue with the "Left Message" notation on the Boards and Commissions list presented to the Commission. Mr. Smith reported that the Board has until 02/03/2012 to prepare all the documents requested by the Commission and once completed he will forward the file to the Board for review. The discussion started with the need to impress upon the Commission how important it is that the Board remain in force to protect the safety and well being of the people of the state of Nevada and to regulate the industry that supplies propane and provides propane related services to it's Nevada customers. Mr. Kightlinger made an important point that the Board is a regulatory and safety Board and Mr. Tognoli offered that for the State to abolish a safety Board would not be in it's best interest. There was some discussion on how the Board members should lobby for the Board and how members should be more proactive and attend the Commission's meetings. Mr. Tognoli stated how important it is to have one collective voice and present all information in the same way each time the Board is called upon. Mr. Poulsen suggested that the Board get together and establish speaking points. Mr. Johnson offered that the most positive areas in the Board's favor are that it is self-funded and that steps that have been taken not to increase costs, and that the Board overhauled their NAC's prior to being ordered and actually lowered fees. Mr. Kightlinger suggested, through the Chairman, that staff be instructed to work on the presentation and present it to the Chairman for review and that a half day workshop at the January meeting should be agendized to review and act on the documents to be submitted to the Commission. Mr. Kightlinger questioned whether the attendance at the Sunset Commission meeting needed to be agendized as a meeting if more than Board members attending. Mr. Ward clarified

that as long as the Board members were only testifying before another Board or Commission and not taking any action, attendance at the Commission meeting would not require an agenda. The discussion continued with Mr. Smith stating he felt what the Board does is very important and is confident that what the Board does is necessary and is more concerned about another state agency attempting to absorb the Boards responsibilities in an effort to increase their budget than being abolished completely. Mr. Poulsen added that a good point to mention would be that other states have looked at and/or mimicked this Board's regulations for their value. Mr. Ward offered that the Board does not want to contradict the information being submitted to the Governor as in agenda item #15 and the need to be consistent. The discussion wrapped up with Mr. Tognoli suggesting that it might not be a bad idea to invite some key legislators to one of the Board's meetings. Mr. Poulsen thought that was a great idea and requested a list as to who should be invited.

**10) \*Discussion 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. Tognoli stated the Oversight Report was pretty straight forward and noted that the auditor had made adjustments to the checking account. Mr. Tognoli questioned whether the CD's were ever updated. Mr. Smith has not received any documentation but clarified that they have been updated. The Office Depot statement, not included in the report, showed no action with a zero balance due. Mr. Kightlinger clarified that the "Savings" heading did not have the updated interest rates to the .20%. Mr. Tognoli gave an overview of the past due accounts and entertained any questions.

Motion: Alan Kightlinger: Moved to accept the Oversight Committee report.  
Second: Mike Eriksen  
Discussion: None  
In Favor: Alan Kightlinger, Steve Tognoli, Orrin Johnson, Mike Eriksen and Blair Poulsen  
Opposed: None

Mr. Kightlinger reviewed the budget report stating that the income was down at 36.3% for the month but expenses at 28.4% were below budget therefor leaving a positive balance for the month and commented that the fiscal year is nearly half over. Mr. Kightlinger questioned whether last year's budget had been closed. Mr. Smith relayed to the Board that the audit has been completed and submitted to LCB and that the Auditor will be at the January meeting to give his report. Mr. Smith also relayed that there were no major violations and explained that some of the adjustments were not made by the previous auditor that resulted in a negative net of approximately \$9,000 for the year instead of a positive net of approximately \$4,000. Mr. Tognoli offered that he had spoken with the auditor a few times and that the auditor was very impressed with the Board's set-up. Mr. Smith added that the auditor was very diligent.

Motion: Mike Eriksen: Motioned to approve the budget report.  
Second: Steve Tognoli  
Discussion: None  
In Favor: Alan Kightlinger, Steve Tognoli, Orrin Johnson, Mike Eriksen and Blair Poulsen  
Opposed: None

**11) \*Hearing in the matter of Sarjit Heyer dba: 7-Eleven #27190:** The Board will consider evidence and determine whether Sarjit Heyer has violated NAC 590.241 by failing to pay billed charges within 90 days. Under NAC 590.241 (1) All charges billed to a licensee by the Board are due upon receipt of the bill by the licensee. Except as otherwise provided in subsection 2, if a licensee fails to pay a charge billed to him by the Board within 90 days of the date the charge was sent to the licensee by the Board, the Board will

suspend the license of the licensee. Sarjit Heyer shall appear to answer to the charges. The Board will deliberate, and determine if license # 2-4861-01 shall be suspended.

Mr. Smith explained that the hearing was for non-payment and reported that a check was received from Mr. Heyer prior to the meeting and would like to withdraw the complaint. Mr. Poulsen, for the record, requested what date the check was received and it was noted that the check was received on 12/08/2011.

**Motion:** Orrin Johnson: Moved to dismiss the complaint based upon payment received.  
**Second:** Steve Tognoli  
**Discussion:** None  
**In Favor:** Alan Kightlinger, Steve Tognoli, Orrin Johnson, Mike Eriksen and Blair Poulsen  
**Opposed:** None

**12) \*Discussion for possible action** review and possible acceptance of the revised Employee Leave Request Form.

Mr. Smith explained the reason for the revision is there were discrepancies in tracking the correct hours taken for leave. There was discussion on whether "hours requested" needed to be tracked. Mr. Ward offered that there were no problems with the form as long as the "hours taken" were accurate.

**Motion:** Alan Kightlinger: Motioned to move the Employee Leave Request Form from draft to final and add it to the Policy & Procedures (P&P) index.  
**Second:** Steve Tognoli  
**Discussion:** None  
**In Favor:** Alan Kightlinger, Steve Tognoli, Orrin Johnson, Mike Eriksen and Blair Poulsen  
**Opposed:** None

**Mr. Johnson left the meeting at 11:48am. For the record there is still a quorum.**

Mr. Kightlinger wanted on record that the auditor was not confused by exempt employee privilege whose hours are not tracked vs non-exempt employees whose hours are tracked.

**13) \*Discussion for possible action** the review of the Board's current fee structure and how that will be affected by the new requirement to accept credit cards.

Mr. Smith reported that he has submitted the form to set up the acceptance of electronic payments and at some point prior to the next budget year the fee structure will need to be addressed. Mr. Smith suggested a blanket fee increase and offer a discount for cash payors. There was a discussion regarding charging fees to accept credit cards and whether or not to only take "E-Checks", which will meet the requirements of AB402, or also take credit cards at this time. Mr. Smith set the Board up to take credit cards with some exceptions. No action was taken on this item and Mr. Poulsen would like this item left on the agenda.

**14) \*Discussion for possible action** the determination of suitability of the 2012 edition of NFPA 54 for Nevada pursuant to NAC 590.610.

Mr. Smith stated that the new code book is out and the Board has a 120 day window to review and make any changes or accept it as is. Mr. Smith offered that the changes can be copied and distributed to the Board members for review. Mr. Kightlinger would like the Industry to be made aware that the Board is in a review period for the adoption of the NFPA 2012 code book and notification sent out with the information about the defective OPD valves.

**15) \*Discussion for possible action** the review and possible approval of the compliance letter for Executive Order #2011-01.

Mr. Smith briefly reviewed the contents of the letter. Mr. Kightlinger wanted to be sure the dates noted for compliance on the letter were accurate. Mr. Poulsen signed the letter to Governor. There was no action taken on this item.

**16) \*Discussion for possible action** the Board and Nevada Division of Environmental Protection (Department of Conservation and Natural Resources) coordinating their respective authorities governing LP-Gas facilities.

Mr. Smith reported he had inspected Aervoe Industries and that the EPA had held up Board compliance for over six months. Mr. Smith also reported that one of the things that the EPA approved was not correct. Aervoe Industries commented to Mr. Smith how much they liked the Board in contrast to how they were treated by the EPA. Mr. Poulsen wants to keep this item on the agenda.

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

The new Auditor's attendance and report, update on the defective cylinder valves, workshop for the response to the Sunset Commission with the workshop being held from 9:00am to 11:00am and the Board meeting commencing at 11:30am.

**18) \*Discussion for possible action** the approval of Board members' compensation, per diem and travel expenses.

Mr. Tognoli requested an additional day for preparing the Oversight Committee Report. Mr. Smith explained to the Board that Mr. Johnson's past two months of reimbursement were never submitted and is being included on this month's.

**Motion:** Alan Kightlinger: Moved to accept the per diem and stipend payment expenses as submitted including the arrears from one Board member.

**Second:** Steve Tognoli

**Discussion:** None

**In Favor:** Alan Kightlinger, Steve Tognoli, Mike Eriksen and Blair Poulsen

**Opposed:** None

Mr. Kightlinger questioned whether Mr. Yeager had been reimbursed in full to date. Mr. Smith stated that he has been paid in full.

**19)** Public and Industry comments.

There was none.

**20) \*Adjourn.**

Mr. Poulsen entertained a motion to adjourn.

**Motion:** Alan Kightlinger: So moved and wished Happy Holidays to all.

**Second:** Steve Tognoli

**Discussion:** None

**In Favor:** Alan Kightlinger, Steve Tognoli, Mike Eriksen and Blair Poulsen

**Opposed:** None



*Meeting adjourned at 12:10pm*



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## Board Meeting Minutes November 18, 2011

Board Member	1st	2nd	Aye	Nay	Abs	Reason
Blair Poulsen			<i>[Signature]</i>			
Orrin Johnson		X	<i>[Signature]</i>			
Mike Eriksen			X			<i>Telephone</i>
Alan Kightlinger					<i>[Signature]</i>	<i>(absent from mtg)</i>
Steve Tognoli	X		<i>[Signature]</i>			
Vacant						

**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 10:02 am by Blair Poulsen, Chairman.

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

Board members:

- Blair Poulsen – representing Industry
- Orrin Johnson – representing propane consumers of Nevada - *telephone*
- Mike Eriksen – representing Industry - *telephone*
- Alan Kightlinger – representing City Fire Service - *Not Present*
- Steve Tognoli – representing Rural Fire Service

Staff:

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

### 3) Public and Industry Comments

There were none.

### 4) \*Discussion for possible action the approval of the agenda.

Mr. Poulsen entertained a motion to approve the agenda.

Motion: Steve Tognoli: Motioned to approve the agenda as presented.  
Second: Orrin Johnson  
Discussion: None  
In Favor: Steve Tognoli, Mike Eriksen, Orrin Johnson and Blair Poulsen  
Opposed: None

### 5) \*Discussion for possible action the approval/disapproval/changes of the minutes of the October 21, 2011 Board meeting.

Motion: Orrin Johnson: Motioned to approve the minutes of the previous meeting.  
Second: Steve Tognoli  
Discussion: None  
In Favor: Steve Tognoli, Mike Eriksen, Orrin Johnson and Blair Poulsen  
Opposed: None

### 6) \*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

There were none.

#### B) Class 2 Licenses

Mr. Smith reported that there is only one application this month which had been a previous installation with ownership changes in the past and is now considered a new installation. The application is in order and Mr. Smith recommends approval.

Motion: Steve Tognoli: Motioned to approve agenda item #6 sub section B #1 2B license, Old 395 Station.  
Second: Orrin Johnson  
Discussion: None  
In Favor: Steve Tognoli, Mike Eriksen, Orrin Johnson and Blair Poulsen  
Opposed: None

1. Old 395 Station LLC; 290 Hwy 395 N, Carson City, NV 89704

#### C) Class 3 Licenses

There were none.

#### **D) Class 4 Licenses**

Mr. Smith withdrew both Class 4 applications due to being incomplete. Neither application has a current insurance certificate.

#### **E) Class 5 Licenses**

There were none.

#### **7) Board Member Comments**

Steve Tognoli - No Comment

Orrin Johnson - No Comment

Mike Eriksen - Had no comments but inquired if there were any propane incidents as a result of the current fire in Reno. Mr. Smith has not received any calls regarding propane incidents as yet.

Blair Poulsen - No Comment

#### **8) Deputy Attorney General's Report.**

Mr. Ward had nothing to report at this time.

#### **9) 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 read his report and talked briefly about the training he conducted for a Flood Managers Group in Las Vegas. Mr. Smith also reported on the current Certificate of Competency (COC) testing he has been doing this past month. Mr. Smith stated that the testing has not been going as well as he had hoped and reported a failure rate of about 90%. Mr. Smith spoke with Mr. Eriksen about testing in Mr. Eriksen's area to see how the test results will come out and would like Mr. Eriksen to take the tests. Mr. Eriksen stated that he was looking forward to the opportunity to take the tests. Mr. Smith touched on the new Board member appointments still on the Governor's desk. Mr. Ward offered that this is not uncommon and is similar to what is happening with his other Boards. Mr. Smith spoke about State Building and Grounds taking over leases for Boards. Another item that Mr. Smith spoke about was the completion of the audit. Mr. Smith commented that the Auditor was very thorough and had spoken with Mr. Tognoli. Mr. Tognoli concurred and also stated that the Auditor had very nice things to say about the operation of the Board. Mr. Smith relayed that with adjustments made by the new auditor, there was a net loss of approximately \$5,000 instead of the net gain reported at the end of the budget year. Mr. Poulsen requested that the Auditor present the completed audit to the Board at the December or January meeting. Mr. Smith informed the Board that the Sunset Commission (Commission) met yesterday and Staff attended the meeting. Mr. Smith relayed information from the meeting and that it was determined by the Commission that the Board would be included in the first round of reviews with their findings being submitted to the Legislature at the next session. The Commission's next meeting is in February 2012 and will hold meetings each month until June 2012. When the Board is up for review, Board members and Staff will have the chance to testify as well as any members of the industry or public for or against the Board.

Mr. Poulsen reviewed the letter sent out by Mr. Smith to the Class 1 dealers and asked Mr. Eriksen for his input. Mr. Eriksen thought the letter lacked information on how current COC holders can renew their COCs. Mr. Poulsen had also received calls regarding the same information and asked Mr. Smith to clarify the procedure with the dealers. Mr. Smith will make it clear to dealers who hold current COCs when he contacts them for the COC testing of their other employees.

10) **\*Discussion 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. Tognoli gave an overview of his report and touched on the Past 30 Day accounts. Mr. Tognoli entertained any questions.

Motion: Mike Eriksen: Moved for approval of the Oversight Committee's Report.  
Second: Orrin Johnson  
Discussion: None  
In Favor: Steve Tognoli, Mike Eriksen, Orrin Johnson and Blair Poulsen  
Opposed: None

Mr. Eriksen reported that budget is 33% expended and the Board was a bit behind on income at 31% but is well under the budgeted expenses at 20% for this time frame. Mr. Eriksen reported that there was a net loss of \$5,164.80 for October but with the expenses for the past four months being at 20%, the Board is still doing pretty well.

Motion: Steve Tognoli: Motioned to approve the budget as presented.  
Second: Orrin Johnson  
Discussion: None  
In Favor: Steve Tognoli, Mike Eriksen, Orrin Johnson and Blair Poulsen  
Opposed: None

Mr. Smith wanted it noted that the three CD's mature tomorrow, 11-19-2011, and wanted to know whether the Board wanted to roll the CD's over or close them out and put the money in the checking account. There was some discussion and for the record, Mr. Kightlinger, through Mr. Smith, wanted the CD's rolled over. Mr. Eriksen concurred. Mr. Poulsen requested a motion.

Motion: Steve Tognoli: Motioned to roll over the three CD's, the three accounts being the Capital Fund, Building Fund and the Legal Fund, at a rate of .20%.  
Second: Mike Eriksen  
Discussion: None  
In Favor: Steve Tognoli, Mike Eriksen, Orrin Johnson and Blair Poulsen  
Opposed: None

11) Discussion on the review of the Board's current fee structure and how that will be affected by the new requirement to accept credit cards.

Mr. Smith reported that Staff met with Mr. Izzy Hernandez, the state contracted representative for the program for the acceptance of credit cards for compliance with AB402. Mr. Hernandez gave a very informative presentation and offered to come back and give the presentation to Board if necessary. Mr. Smith elaborated on the information sent to the Board members via email and suggested that signing up for the PayPoint program to accept only E-Checks for a fee of .20 cents per transaction at this time might be more beneficial to the Board until the cost of taking credit cards can be budgeted and/or the regulations changed to increase the fees to accommodate the extra cost. Mr. Smith also relayed to the Board that Mr. Hernandez stated that there is a Nevada Revised Statute (NRS) that allows for the charging of a convenience fee but the charged fee cannot be more than what the merchant charges for the transaction. Mr. Poulsen directed Mr. Smith to start the process so that action may be taken at the December meeting. Mr. Ward concurred.

12) **\*Discussion for possible action** the Board and Nevada Division of Environmental Protection (Department of Conservation and Natural Resources) coordinating their respective authorities governing LP-Gas facilities.

Mr. Smith had nothing to report.

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

Mr. Poulsen would like to add the Auditor to present the completed audit and an action item to accept electronic payments.

14) **\*Discussion for possible action** the approval of Board members' compensation, per diem and travel expenses.

Mr. Tognoli requested an additional day for preparing the Oversight Committee Report.

Motion: Steve Tognoli: Motioned to approve the travel compensation, per diem and travel expenses as submitted.  
Second: Orrin Johnson  
Discussion: None  
In Favor: Steve Tognoli, Mike Eriksen, Orrin Johnson and Blair Poulsen  
Opposed: None

15) Public and Industry comments.

There was none.

16) **\*Adjourn.**

Mr. Poulsen entertained a motion to adjourn.

Motion: Steve Tognoli: So moved.  
Second: Orrin Johnson  
Discussion: None  
In Favor: Steve Tognoli, Mike Eriksen, Orrin Johnson and Blair Poulsen  
Opposed: None

*Meeting adjourned at 10:47 am*



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## Board Meeting Minutes October 21, 2011

Board Member	1st	2nd	Aye	Nay	Abs	Reason
Blair Poulsen			<i>B</i>			
Orrin Johnson	<i>X</i>					<i>ON telephone</i>
Mike Eriksen						<i>ON tele phone</i>
Alan Kightlinger						<i>Not Present</i>
Steve Tognoli		<i>X</i>	<i>STO</i>			
Vacant						

**NOTE:** This meeting was audio taped. The audio tapes 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 10:04 am by Steve Tognoli, Acting Chairman.

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

Board members:

- Blair Poulsen – representing Industry - *telephone*
- Orrin Johnson – representing propane consumers of Nevada - *telephone*
- Mike Eriksen – representing Industry - *telephone*
- Alan Kightlinger – representing City Fire Service - *Not Present*
- Steve Tognoli – representing Rural Fire Service

Staff:

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

Audience:

- Dave Fuson - AmeriGas Propane
- Jason Aiazzi - AmeriGas Propane



Rudy Forster - Granite Propane  
Neena Laxalt - NPDA - *telephone*  
Marty Huerta - Suburban Propane - *telephone*

### 3) Public and Industry Comments

There were none.

### 4) \*Discussion for possible action the approval of the agenda.

Mr. Tognoli entertained a motion to approve the agenda.

**Motion:** Blair Poulsen: Motioned to approve the agenda as submitted.  
**Second:** Mike Eriksen  
**Discussion:** None  
**In Favor:** Mike Eriksen, Blair Poulsen, Orrin Johnson and Steve Tognoli  
**Opposed:** None

### 5) \*Discussion for possible action the approval/disapproval/changes of the minutes of the September 16, 2011 Board meeting.

**Motion:** Mike Eriksen: Moved to approve the Board meeting minutes of September 16, 2011 as submitted.  
**Second:** Orrin Johnson  
**Discussion:** None  
**In Favor:** Mike Eriksen, Blair Poulsen, Orrin Johnson and Steve Tognoli  
**Opposed:** None

**6) \*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

There were none.

#### B) Class 2 Licenses

Mr. Smith reported that there are 12 new applications this month and 1 modification. All the applications appear to be in order and Mr. Smith recommends approval.

**Motion:** Mike Eriksen: Motioned for agenda item #6 B sub items #1-13 to be approved.  
**Second:** Orrin Johnson  
**Discussion:** None  
**In Favor:** Mike Eriksen, Blair Poulsen, Orrin Johnson and Steve Tognoli  
**Opposed:** None

1. Dolgen Midwest, LLC dba: **Dollar General #12786**; 5675 S. Rainbow Blvd., Las Vegas, NV 89113
2. Dolgen Midwest, LLC dba: **Dollar General #12800**; 1815 E. Flamingo Rd., Las Vegas, NV 89119
3. Dolgen Midwest, LLC dba: **Dollar General #12801**; 2905 S. Maryland Pkwy, Las Vegas, NV 89109
4. Dolgen Midwest, LLC dba: **Dollar General #12830**; 5991 W. Cheyenne, Las Vegas, NV 89134



5. Dolgen Midwest, LLC dba: **Dollar General #13282**; 8610 Spring Mountain Rd., Las Vegas, NV 89117
6. The Vons Companies, Inc. dba: **Vons #1970**; 8540 W. Desert Inn, Las Vegas, NV 89117
7. The Vons Companies, Inc. dba: **Vons #2390**; 475 E. Windmill Ln., Henderson, NV 89123
8. The Vons Companies, Inc. dba: **Vons #2396**; 1131 E. Tropicana Ave., Las Vegas, NV 89119
9. The Vons Companies, Inc. dba: **Vons #2613**; 6450 Sky Pointe Dr., Las Vegas, NV 89131
10. The Vons Companies, Inc. dba: **Vons #2614**; 7405 S. Durango Dr., Las Vegas, NV 89113
11. Maverik, Inc. dba: **Maverik #440**; 402 W. Goldfield, Yerington, NV 89447
12. Winnemucca Gas Inc., dba: **Winnemucca Gas**; 399 W. Minor St. Winnemucca, NV 89445
13. Wal-Mart Stores dba: **Wal-Mart #3254**; 5260 W. 7th St., Reno, NV 89523

### C) Class 3 Licenses

Mr. Smith reported that the one Class 3E application was submitted as an ownership change. The application is in order and Mr. Smith recommends approval.

**Motion:** Blair Poulsen: Motioned for approval.  
**Second:** Orrin Johnson  
**Discussion:** None  
**In Favor:** Mike Eriksen, Blair Poulsen, Orrin Johnson and Steve Tognoli  
**Opposed:** None

### D) Class 4 Licenses

Mr. Smith pulled items #4 & 5 to discuss separately and recommended approval of items # 1-3.

**Motion:** Orrin Johnson: Moved for approval of item #6 D sub items #1-3.  
**Second:** Mike Eriksen  
**Discussion:** None  
**In Favor:** Mike Eriksen, Blair Poulsen, Orrin Johnson and Steve Tognoli  
**Opposed:** None

1. **Silver State Roofing Supply, LLC**; 4730 Wynn Rd., Las Vegas, NV 89103
2. **Old Stone House Gift & Garden, LLC**; 3397 Pyramid Way, Sparks, NV 89431
3. Sparks Marina RV Park, LLC dba: **Sparks Marina RV Park**; 1200 E. Lincoln Way, Sparks, NV 89434

Mr. Smith relayed that the application for Eagle Auto Body was incomplete due to the insurance certificate did not reflect the sale and storage of LP-Gas. Ms. Bavaro added that when the insurance company was contacted a week ago it was found that the sale and storage of propane was not covered in the applicant's current policy. The Board tabled this item to give Mr. Huerta of Suburban Propane time to contact his customer.

Mr. Smith elaborated on the Green's Feed modification request stating that the supplier submitted a letter wet-stamped by a certified engineer in lieu of the normal soils analysis that is required by the Board. Mr. Smith read the letter from the engineer. There was some discussion on if this letter should be accepted. Mr. Johnson questioned if there was anything in the regulations prohibiting the acceptance of the letter. Mr. Smith replied that there was not.

**Motion:** Orrin Johnson: Moved for approval of item #6 D sub items #1& 2.  
**Second:** Mike Eriksen  
**Discussion:** Mr. Eriksen wanted it noted that a soils analysis was always required to be done and wanted to keep this decision for future reference that if a soils analysis could not be done that a letter stamped by a certified engineer would be accepted.  
**In Favor:** Mike Eriksen, Blair Poulsen, Orrin Johnson and Steve Tognoli  
**Opposed:** None



## **E) Class 5 Licenses**

There were none.

## **7) Board Member Comments**

Blair Poulsen - No Comment  
Mike Eriksen - No Comment  
Orrin Johnson - No Comment  
Steve Tognoli - No Comment

## **8) Deputy Attorney General's Report.**

Mr. Ward stated that he had nothing to report or any comments at this time.

## **9) 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 this report and also stated that the Governor's Office's response to his call was the same as last time, that the applications are waiting for the Governor's review.

## **10) \*Discussion 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. Tognoli read his report and briefly went over the past 30 days accounts. Mr. Tognoli entertained any questions.

Motion: Orrin Johnson: Motioned to approve the Oversight Committee Report.  
Second: Blair Poulsen  
Discussion: None  
In Favor: Mike Eriksen, Blair Poulsen, Orrin Johnson and Steve Tognoli  
Opposed: None

Mr. Eriksen read the budget report.

Motion: Blair Poulsen: Moved to approve the budget report as submitted by Mike Eriksen.  
Second: Orrin Johnson  
Discussion: None  
In Favor: Mike Eriksen, Blair Poulsen, Orrin Johnson and Steve Tognoli  
Opposed: None

Mr. Smith wanted it noted that the new vehicle and the old vehicle adjustments would be taken care of during the audit.

## **11) Discussion on the review of the Board's current fee structure and how that will be affected by the new requirement to accept credit cards.**

Mr. Smith reported that the State has a mandatory contract for credit card acceptance. Mr. Smith has spoken with the department that handles the contract and was supposed to be called back. Mr. Smith has not been contacted to date. This item will remain on the agenda for next month.

12) **\*Discussion for possible action** the Board and Nevada Division of Environmental Protection (Department of Conservation and Natural Resources) coordinating their respective authorities governing LP-Gas facilities.

Mr. Smith had nothing to report. Mr. Smith briefly explained that Aercoe Pacific, one of our licensees, is trying to comply with our request to change out the internal valves but is being delayed by the CAPP program.

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

There was nothing new to add but Mr. Smith reminded the Board that next month's meeting will be held the week before Thanksgiving to find out if there would be any problems with the date.

**Mr. Tognoli re-opened item # 6-D sub section 4.**

Mr. Huerta was speaking with his customer. The Board waited a few minutes and was told by Mr. Huerta that the insurance would take too long to resolve today and he wanted to re-submit the application for next month's meeting. The application for Eagle Auto Body was withdrawn.

14) **\*Discussion for possible action** the approval of Board members' compensation, per diem and travel expenses.

Mr. Tognoli requested an additional day for preparing the Oversight Committee Report.

**Motion:** Blair Poulsen: Motioned to approve the per diem and expenses as requested by Board members.  
**Second:** Orrin Johnson  
**Discussion:** None  
**In Favor:** Mike Eriksen, Blair Poulsen, Orrin Johnson and Steve Tognoli  
**Opposed:** None

15) Public and Industry comments.

Mr. Fuson invited anyone who was going to be in the Reno area this weekend to come to the Fall Home Show and visit AmeriGas's booth for a complimentary cup of coffee. Mr. Eriksen wanted Mr. Smith to explain the eternal flame he designed for the Oakland Raiders football organization. Mr. Smith explained his involvement and how much it was liked. Now the organization wants a permanent flame.

16) **\*Adjourn.**

Mr. Tognoli entertained a motion to adjourn.

**Motion:** Mike Eriksen: So moved.  
**Second:** Blair Poulsen  
**Discussion:** None  
**In Favor:** Mike Eriksen, Blair Poulsen, Orrin Johnson and Steve Tognoli  
**Opposed:** None

*Meeting adjourned at 10:35 am*



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## Board Meeting Minutes September 16, 2011

Board Member	1st	2nd	Aye	Nay	Abs	Reason
Blair Poulsen						on telephone
Orrin Johnson		X				on telephone
Mike Eriksen	X					on telephone
Alan Kightlinger						not present
Steve Tognoli			SK			
Vacant						

**NOTE:** This meeting was audio taped. The audio tapes 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 9:07 am by Blair Poulsen, Chairman.

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

Board members: Blair Poulsen – representing Industry  
Orrin Johnson – representing propane consumers of Nevada  
Mike Eriksen – representing Industry  
Alan Kightlinger – representing City Fire Service - *Not Present*  
Steve Tognoli – representing Rural Fire Service

Staff: Eric Smith – Chief Inspector  
Rick Drake – Field Inspector  
Katie Bavaro – Administrative Assistant  
Harry Ward - Deputy Attorney General

Audience: Dave Fuson - NPDA/AmeriGas  
Dee Dee Balaguy - AmeriGas



Lisa Thomas - AmeriGas  
Susan Sorrells - Shoshone Propane  
Bruce Swiecicki - NPGA  
Robby Haines - Shoshone Propane  
Ann Rey - Delta Liquid Energy  
Larry Osgood - Consulting Solutions, LLC  
Patty Osgood - Consulting Solutions, LLC  
Van Peterson - Heritage Propane  
Julie A. Kraus - Western States Propane  
Paul M. Kraus - Western States Propane  
Rudy Forster - Granite Propane  
Steve Prosenick - Western States Propane

### 3) Public and Industry Comments

Mr. Eriksen commented that this is a great venue to have the Board meeting and a great place to have the association's conference in Lake Tahoe and hoped everyone had a good time. Mr. Fuson stated it was good to be here and he believes everyone had a very good time.

### 4) \*Discussion for possible action the approval of the agenda.

Mr. Johnson entertained a motion to approve the agenda.

Motion: Orrin Johnson: Motioned to approve the agenda.  
Second: Steve Tognoli  
Discussion: None  
In Favor: Steve Tognoli, Orrin Johnson, Mike Eriksen and Blair Poulsen  
Opposed: None

### 5) \*Discussion for possible action the approval/disapproval/changes of the minutes of the August 19, 2011 Board meeting.

Motion: Orrin Johnson: Moved to approve the Board meeting minutes of August 19, 2011.  
Second: Mike Eriksen  
Discussion: None  
In Favor: Steve Tognoli, Orrin Johnson and Mike Eriksen  
Opposed: None  
Abstained: Blair Poulsen

**6) \*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

There were none.

#### B) Class 2 Licenses

Mr. Smith reported that the 3 applications were all new installations and appear to be in order and Staff recommends approval of all.

**Motion:** Orrin Johnson: Moved to approve agenda item #6 B #1-3.  
**Second:** Steve Tognoli  
**Discussion:** None  
**In Favor:** Steve Tognoli, Orrin Johnson, Mike Eriksen and Blair Poulsen  
**Opposed:** None

1. Mustang Market, LLC dba: **Mustang Market**; 12155 I-80 East, Sparks, NV 89434
2. S & P Gaming, Inc. dba: **Carlin C Store**; 1014 Fir St., Carlin, NV 89822
3. James Studebaker dba: **Uptown Market**; 1200 S. Bridge St., Winnemucca, NV 89445

### C) Class 3 Licenses

There were none

### D) Class 4 Licenses

There was an error on the agenda for item #6-D in that there were two sub item #3. Mr. Smith requested to withdraw the second item #3, Green's Feed, due to incomplete information. Mr. Smith reported that items #1-3 appear to be in order and recommends approval.

**Motion:** Mike Eriksen: Moved to approve item #6 D #1-3.  
**Second:** Steve Tognoli  
**Discussion:** None  
**In Favor:** Steve Tognoli, Orrin Johnson, Mike Eriksen and Blair Poulsen  
**Opposed:** None

1. Gurbachan Singh & Balwinder Thind dba: **Red Rock Liquor & Smoke**; 10034 US Hwy 50 East, Mound House, NV 89706
2. Erwin E. Martell dba: **Martell Market**; 1775 Amargosa Farm Rd., Amargosa Valley, NV 89020
3. Nicks Enterprises, Inc. dba **Good Cents Gas**; 11 E. Victorian Ave., Sparks, NV 89431

### E) Class 5 Licenses

There were none.

### 7) Board Member Comments

Steve Tognoli: No comments.  
Orrin Johnson: Had no comments and stated he was sorry he missed the dinner last night.  
Mike Eriksen: Had no comments and he was sorry he missed the dinner as well.  
Blair Poulsen: Had no comments and it appeared everyone had a good time at the dinner.

### 8) Deputy Attorney General's Report.

Mr. Ward explained to the audience that AB402 required state agencies to accept credit cards for payment and that the agencies are allowed to charge "convenience fees" for processing those payments. Mr. Ward also explained that the Board would have to get "creative" with those fees because the Board does not pay into the State's general fund.

### 9) 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 read through his report and stated that the Governor's Office has received applications on the four open Board member positions and has not yet made any new appointments. Mr. Smith stated for the audience that Mr. Yeager resigned from the Board as of 08/16/2011 and that the Board is down one member at this time. Mr. Ward offered that the other Boards he represents are in the same position as far as re-appointments.

**10) \*Discussion 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. Tognoli read his report and stated that everything looks good. Mr. Tognoli noted that the MasterCard and Office Depot information was reversed on his report and that there was no activity on the Office Depot account. Mr. Tognoli entertained any questions.

Motion: Orrin Johnson: Motioned to approve the Oversight Committee Report.  
Second: Mike Eriksen  
Discussion: None  
In Favor: Steve Tognoli, Orrin Johnson, Mike Eriksen and Blair Poulsen  
Opposed: None

Mr. Eriksen read over the budget report and noticed that the label of the vehicle needs to be changed on the balance sheet. Mr. Smith will make that change before the next meeting.

Motion: Orrin Johnson: Moved to approve the financial reports.  
Second: Steve Tognoli  
Discussion: None  
In Favor: Steve Tognoli, Orrin Johnson, Mike Eriksen and Blair Poulsen  
Opposed: None

**11) \*Discussion for possible action** the review and possible acceptance of the 2010-11 financial reports and scheduling the Board's annual audit.

Mr. Smith reported that the Board's new auditor was chosen at the last meeting and has been given the necessary information to begin the audit.

Motion: Orrin Johnson: Motioned to approve the financial reports for FY 2010-11.  
Second: Mike Eriksen  
Discussion: Mr. Smith questioned if the Board was going to allocate the excess income to one of the reserve accounts. Mr. Tognoli thought that with the purchase of the new vehicle that the excess funds should go back to the capital equipment fund. Mr. Eriksen was in agreement.  
In Favor: Steve Tognoli, Orrin Johnson, Mike Eriksen and Blair Poulsen  
Opposed: None

Motion: Steve Tognoli: Motioned to move the excess income for FY 2010-11 in the amount of \$4,306.40 into the capital equipment account.  
Second: Orrin Johnson  
Discussion: None  
In Favor: Steve Tognoli, Orrin Johnson, Mike Eriksen and Blair Poulsen  
Opposed: None

**12) \* Discussion for possible action** the development of job specific employee evaluation forms for the Board staff.

Mr. Poulsen explained to the audience the reason for developing the evaluations. Mr. Johnson commented that the forms look good and the request to add "Public Relations" to the Chief Inspector and Field Inspector forms has been done and will move for approval at the appropriate time.

Motion: Orrin Johnson: Motioned to approve the draft employee evaluations as official evaluations for the Chief Inspector, Field Inspector and the Administrative Assistant.

Second: Steve Tognoli

Discussion: Mr. Poulsen requested a form number be put on the evaluation forms.

In Favor: Steve Tognoli, Orrin Johnson, Mike Eriksen and Blair Poulsen

Opposed: None

**13) Discussion on the review of the Board's current fee structure and how that will be affected by the new requirement to accept credit cards.**

Mr. Ward explained to the audience how the Board is trying to comply with the acceptance of credit cards and having to re-coup the fees to process the credit cards. To increase the fees and give a cash discount, the Board will have to change the NACs. Mr. Ward also stated that there is a freeze for any changes in effect until the end of the year. Mr. Poulsen does not want the Board to have to amend the NACs and suggested the Board may have to absorb the cost. Mr. Johnson offered that the cost is too significant for the Board to absorb as more people will probably use credit cards for payment later on. Mr. Johnson stated that the Board does not want to raise the fees for profit but may have to help with the cost of the credit card processing. Mr. Poulsen questioned whether the State has negotiated lower rates with banks. Mr. Smith thought so but was unsure whether or not the Board can utilize their resources. Mr. Ward suggested to research that option and decide from there how to proceed within the law. There was discussion on charging an additional fee for using credit cards or a one-time raise to the fees. Mr. Prosenick wanted clarification that the fees would not be raised each year. Ms. Thomas questioned whether or not the additional fee would apply to those licensees still writing checks. Mr. Poulsen wanted to know if the form could be changed to include a convenience fee without amending the NACs. Mr. Smith liked the idea that the NAC's be changed to increase the fees by a certain percentage and give "cash" discounts for those who pay cash. Mr. Ward wants the Board to define "cash". Mr. Johnson recommended that staff do research on the rates for processing credit cards and draft potential NAC changes and also suggested to contact the Governor's office for advice. Ms. Kraus offered her experience and research findings in that the banks do not offer the best rates. There are "preferred processors" that offer substantially lower rates (utility rates) that the Staff could look into. Ms. Sorrells stated she has had the same experience. Mr. Poulsen directed Staff to research some of the "preferred processors" such as Costco and also find out if the Board can use the State processors. Mr. Drake was concerned that paying credit card costs out of the license fees would not be in compliance with the Board's NACs.

**14) \*Discussion for possible action** the Board and Nevada Division of Environmental Protection (Department of Conservation and Natural Resources) coordinating their respective authorities governing LP-Gas facilities.

Mr. Smith had nothing to report.

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

Credit card processing research results



16) **\*Discussion for possible action** the approval of Board members' compensation, per diem and travel expenses.

Mr. Tognoli requested an additional day for preparing the Oversight Committee Report.

Motion: Orrin Johnson: Motioned to approve the Board's expenses as requested.  
Second: Steve Tognoli  
Discussion: None  
In Favor: Steve Tognoli, Orrin Johnson, Mike Eriksen and Blair Poulsen  
Opposed: None

17) Public and Industry comments.

Mr. Fuson reported, as a point of interest, the personnel changes within AmeriGas Propane management.  
Ms. Thomas commented on Mr. Poulsen's roasting of Mr. Forster.

18) **\*Adjourn.**

Mr. Poulsen entertained a motion to adjourn.

Motion: Orrin Johnson: So moved.  
Second: Steve Tognoli  
Discussion: None  
In Favor: Steve Tognoli, Orrin Johnson, Mike Eriksen and Blair Poulsen  
Opposed: None

*Meeting adjourned at 10:02 am*



Nevada Board for the Regulation of Liquefied Petroleum Gas  
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## Board Meeting Minutes August 19, 2011

Board Member	1st	2nd	Aye	Nay	Abs	Reason
Blair Poulsen					<i>[Handwritten mark]</i>	
Orrin Johnson	X		<i>[Handwritten mark]</i>			
Mike Eriksen		X	<i>[Handwritten mark]</i>			
Alan Kightlinger						<i>Not Present</i>
Steve Tognoli			<i>[Handwritten mark]</i>			
Norman Yeager						<i>Not Present</i>

**NOTE:** This meeting was audio taped. The audio tapes 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 10:00 am by Orrin Johnson, Vice Chairman.

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

Board members: Blair Poulsen – representing Industry - *Not Present*  
Orrin Johnson – representing propane consumers of Nevada  
Mike Eriksen – representing Industry -  
Alan Kightlinger – representing City Fire Service  
Steve Tognoli – representing Rural Fire Service

Staff: Eric Smith – Chief Inspector  
Rick Drake – Field Inspector  
Katie Bavaro – Administrative Assistant  
Harry Ward - Deputy Attorney General

Audience: Jason Dunphy - Public Utilities Commission

### 3) Public and Industry Comments

There were none.

### 4) \*Discussion and possible action on the approval of the agenda.

Mr. Johnson entertained a motion to approve the agenda.

**Motion:** Steve Tognoli: Motioned to approve the agenda as presented.  
**Second:** Mike Eriksen  
**Discussion:** None  
**In Favor:** Steve Tognoli, Alan Kightlinger, Mike Eriksen and Orrin Johnson  
**Opposed:** None

### 5) \*Discussion and possible action on the approval/disapproval/changes of the minutes of the July 15, 2011 Board meeting.

**Motion:** Mike Eriksen: Moved to approve the Board meeting minutes of July 15, 2011.  
**Second:** Alan Kightlinger  
**Discussion:** None  
**In Favor:** Steve Tognoli, Alan Kightlinger, Mike Eriksen and Orrin Johnson  
**Opposed:** None

**6) \*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

There were none.

#### B) Class 2 Licenses

Mr. Smith reported that there were 11 new applications this month. All applications appear to be in order and Staff recommended approval of all.

**Motion:** Alan Kightlinger: Moved to accept consent agenda item #6 B sub items #1-18 and vote favorably based upon Staff report.  
**Second:** Mike Eriksen  
**Discussion:** None  
**In Favor:** Steve Tognoli, Alan Kightlinger, Mike Eriksen and Orrin Johnson  
**Opposed:** None

1. Smitten Tire and Oil Co., Inc. dba: **Gas Store West**; 5180 Reno Hwy, Fallon, NV 89406
2. Tuli Enterprises, Inc. dba: **JM Gasoline**; 1321 N. Carson St., Carson City, NV 89701
3. RPA Enterprises, Inc. dba: **Scotty's Hardware**; 264 Kingsbury Grade, Stateline, NV 89449
4. John W. Wells dba: **Winnemucca RV Park**; 5255 Winnemucca Blvd., Winnemucca, NV 89445
5. Las Vegas Ace, LLC dba: **Desert Shores Ace Hardware**; 8400 W. Cheyenne, Las Vegas, NV 89129
6. Lee Harrison Holdings, Inc. dba: **Peak Mart**; 9010 W. Flamingo, Las Vegas, NV 89147
7. SR Sons, Inc. dba: **Corner Store #1**; 202 N. Main St., Yerington, NV 89447
8. SR Sons, Inc. dba: **Corner Store #2**; 1 Hwy 95A, Yerington, NV 89447
9. Giomi, Inc. dba: **Ace Hardware**; 119 West Bridge St., Yerington, NV 89447

10. Safeway, Inc. dba: **Safeway #1537-14**; 22 Elk Point, Zephyr Cove, NV 89448
11. The Vons Companies, Inc. dba: **Vons #1795**; 2511 Anthem Village Dr., Henderson, NV 89052
12. Walgreen Co. dba: **Walgreens #02590**; 6435 Aliante Pkwy, North Las Vegas, NV 89084
13. Walgreen Co. dba: **Walgreens #2598**; 7685 W. Rainbow, Las Vegas, NV 89131
14. Walgreen Co. dba: **Walgreens #3844**; 5011 E. Sahara Ave., Las Vegas, NV 89142
15. Walgreen Co. dba: **Walgreens #3873**; 6865 W. Tropicana Ave., Las Vegas, NV 89103
16. Walgreen Co. dba: **Walgreens #4855**; 6001 W. Cheyenne, Las Vegas, NV 89108
17. Walgreen Co. dba: **Walgreens #5014**; 7845 W. Flamingo, Las Vegas, NV 89147
18. Walgreen Co. dba: **Walgreens #5154**; 4905 W. Tropicana, Las Vegas, NV 89103

### C) Class 3 Licenses

There were none

### D) Class 4 Licenses

Mr. Smith reported that there was one new application and one modification with both applications appearing to be in order and recommended approval.

Motion: Alan Kightlinger: Moved to accept consent agenda item #6 D and vote favorably on sub items #1-2 based upon Staff report.

Second: Mike Eriksen

Discussion: None

In Favor: Steve Tognoli, Alan Kightlinger, Mike Eriksen and Orrin Johnson

Opposed: None

1. Station Acquisitions, LLC dba: **Desert Food Mart**; 6100 W. Charleston, Las Vegas, NV 89146
2. **Reno Rock Transport, LLC**; 7770 Security Circle, Reno, NV 89506

### E) Class 5 Licenses

There were none.

### 7) Board Member Comments

Steve Tognoli: No comments.

Alan Kightlinger: No comments. He has had no word from the Governor's office on his application but has heard that this was not out of the ordinary.

Mike Eriksen: No comments.

Orrin Johnson: No comments.

### 8) Deputy Attorney General's Report.

Mr. Ward did not have anything to report at this time but would comment on agenda items #12 & 13 at the appropriate time. With regards to the agenda, Mr. Ward noted that Mr. Smith added an item at the beginning and end of the agenda for public comments.

**9) 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.)

In addition to reading his report, Mr. Smith reported on an incident at the AmeriGas Cylinder Refurbishing Plant in Pahrump. Mr. Smith stated that one person was hospitalized with 2nd & 3rd degree burns on his chest. Mr. Smith did not have an update on the employee at this time. The sprinkler system was activated and kept the fire contained until the Fire Department arrived. The air conditioning unit appeared to be the

potential source of ignition and Mr. Smith will know more after speaking with the Fire Department. Mr. Smith explained the plant set-up for those in attendance. Mr. Eriksen questioned whether the cylinder cages would contain a fire. Mr. Smith had no experience or information but thought so because the cylinders are contained within the cage and have little or no room to launch when the B.L.E.V.E. Mr. Smith gave a brief report on the status of the Board member applications. Mr. Smith also reported that Mr. Yeager has officially resigned from the Board which leaves an open seat. The question was asked if the legal quorum will change. The legal quorum will remain at 4 as written in the statute. Mr. Smith reminded the Board that the NPDA Conference is next month. Typically the September Board Meeting is held at the conference and Mr. Smith wanted to know if any of the Board members wanted to attend the Hall of Flame dinner and if Staff should be included. Mr. Kightlinger asked Mr. Johnson to remind him to include the cost of the banquet and all meeting costs outside of the normal per diem in his motion for agenda item #17.

Mr. Kightlinger let the Board know that he will not be at the September meeting and offered to call in if a quorum is needed.

**10) \*Discussion and possible action** on 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. Tognoli read his report and noted for the Board members that he did not include an update for the savings account in this month's report. Mr. Tognoli also noted that there was an increase in the past due of 30 days or more and commented that it could be attributed to a billing cycle. Mr. Tognoli entertained any questions.

Motion: Mike Eriksen: Moved to approve the Oversight Committee Report.  
Second: Alan Kightlinger  
Discussion: None  
In Favor: Steve Tognoli, Alan Kightlinger, Mike Eriksen and Orrin Johnson  
Opposed: None

Mr. Kightlinger reported that the FY is 8% expended with the income below budget and the expenses below income. Adding the income from the invoices that are past due, Mr. Kightlinger feels that the income is in line with the budget. Mr. Eriksen questioned if the header was wrong on the Profit & Loss report. Mr. Smith stated he had run the wrong report and that the date should have been for July only and the report included 11 days of August. Mr. Smith offered to run the correct report. Mr. Kightlinger stated that the last FY should be closed at the September or October meeting.

Motion: Mike Eriksen: Moved for approval of the Budget Committee's report.  
Second: Steve Tognoli  
Discussion: None  
In Favor: Steve Tognoli, Alan Kightlinger, Mike Eriksen and Orrin Johnson  
Opposed: None

**11) \*Discussion and possible action** on the review of bids solicited for the performance of the Board's annual financial audit and the selection of a person or firm to perform the audit.

Mr. Smith gave an overview of the two bids received and stated that the third bid was sent to Mary Sanada, the Board's previous auditor. The firm Ms. Sanada was going to refer the Board to was not working out and Ms. Sanada declined the invitation to bid. Mr. Smith asked Ms. Sanada for any input she might have on the two firms who presented bids and relayed this information to the Board.

**Motion:** Steve Tognoli: Motioned to accept Bertrand and Associates LLC's quote dated July 25, 2011 for the fee for 3 years at \$4500 per year.

**Second:** Alan Kightlinger

**Discussion:** Mr. Johnson wanted on record that he was concerned that Bertrand & Associates have been in Carson City for 20 years and another auditor did not have any information on the firm or know anything about the firm. Mr. Kightlinger did not like the fees from Steele CPA which included some hourly fees. Mr. Eriksen appreciated the fact that Bertrand & Associates took the time to visit the Board office and research the project before entering a bid. Mr. Kightlinger wanted on record that the Staff did follow statute and requested three reasonable proposals.

**In Favor:** Steve Tognoli, Alan Kightlinger, Mike Eriksen and Orrin Johnson

**Opposed:** None

**12) \* Discussion and possible action** the requirements of AB402 which established new requirements for the acceptance of credit cards and how it will be implemented by the Board.

Mr. Johnson deferred to Mr. Ward. Mr. Ward summarized AB402 and briefly touched on issues the Board is facing to be in compliance. Mr. Ward relayed that another Board he represents just absorbs the fees and they negotiated with a bank to obtain the best rate for processing the credit cards. Mr. Ward suggested that if the Board did decide to absorb the costs, it should bargain with the bank and try to obtain the best government rate available. Mr. Ward also explained an exception to AB402 and what the Board would have to do if they thought the accepting of credit cards was impractical or suggested that the Board can explore the possibility of changing the NAC's to increase license fees to offset the processing fees and offer cash discounts on cash purchases. Mr. Smith will research adding the Board to the contract with the Department of Administration. After some discussion, Mr. Johnson requested that Mr. Ward review the federal law regarding charging convenience fees. The Board ruled out that accepting credit cards is impractical and Mr. Johnson wanted the potential regulation changes as a discussion item only on the September agenda. There was no action taken on this item.

**13) \*Discussion and possible action** the requirements of the Governor's Executive Order #2011-01 which requires a freeze on new regulations and the performance of a comprehensive review of existing regulations.

Mr. Johnson deferred to Mr. Ward. Mr. Ward gave a brief overview of the executive order and pointed out that a comprehensive review of the regulations must be completed and submitted to the Governor's office by 12/31/2011. There was some discussion on the amendment to Executive Order #2011-01 and clarification that the Board's regulations affect public safety and security, however it was agreed that changing the fees is not a safety issue. Mr. Johnson relayed to Mr. Ward that in the past year the Board had already gone through all their regulations, and made changes and deleted all unnecessary regulations. Mr. Smith and Mr. Johnson were in agreement that a letter to the Governor's office reporting what was already done should be sufficient. Mr. Johnson requested a draft of the letter as an action item for the October Board meeting agenda.

**14) \*Discussion and possible action** on the development of job specific employee evaluation forms for the Board staff.

Mr. Smith presented draft copies of evaluations for all the Staff. There was a discussion on job functions and changes were made to reflect the correct rating for the inspectors, responsiveness to the inspectors, changing "customer relations" to "public relations". Mr. Eriksen noted that on the Administrative Assistant draft evaluation more detail was needed to be added for the bank deposits and processing the checks in a timely manner.

**Mr. Smith requested to return to agenda item #9.**

Mr. Smith wanted to add an item to his Chief Inspectors report and relayed to the Board that there was an error on the PERS audit with regards to the pay increase for the Field Inspector in 2008. Mr. Smith explained the error and reported that this error has been corrected.

**15) \*Discussion and possible action** on the Board and Nevada Division of Environmental Protection (Department of Conservation and Natural Resources) coordinating their respective authorities governing LP-Gas facilities.

Mr. Smith had nothing to report.

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

A discussion item only to review the NAC's to increase the fees to comply with accepting credit cards and the closing out of the FY 2010-11 budget.

**17) \*Discussion and possible action** on the approval of Board members' compensation, per diem and travel expenses.

Mr. Tognoli requested an additional day for preparing the Oversight Committee Report.

**Motion:** Alan Kightlinger: Moved that the Board approve the normal Board compensation, per diem and travel expenses and authorize the upcoming registration and meal expenses to participate in the NPDA conference and Hall of Flame banquet in September for members and Staff including lodging for the overnight from Thursday to Friday.

**Second:** Steve Tognoli

**Discussion:** Mr. Johnson and Mr. Tognoli will be attending the Hall of Flame dinner. Mr. Johnson is of the understanding that the motion will cover a new Board member if appointed.

**In Favor:** Steve Tognoli, Alan Kightlinger, Mike Eriksen and Orrin Johnson

**Opposed:** None

**18) Public and Industry comments.**

There were none.

**18) \*Adjourn.**

Mr. Johnson entertained a motion to adjourn.

**Motion:** Mike Eriksen: So moved.

**Second:** Steve Tognoli

**Discussion:** None

**In Favor:** Steve Tognoli, Alan Kightlinger, Mike Eriksen and Orrin Johnson

**Opposed:** None

*Meeting adjourned at 11:43 am*



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## Board Meeting Minutes July 15, 2011

Board Member	1st	2nd	Aye	Nay	Abs	Reason
Blair Poulsen						<i>Not Present</i>
Orrin Johnson			<i>[Signature]</i>			
Mike Eriksen	<i>X</i>		<i>[Signature]</i>			
Alan Kightlinger		<i>X</i>	<i>[Signature]</i>			
Steve Tognoli			<i>[Signature]</i>			
Norman Yeager						<i>Not Present</i>

**NOTE:** This meeting was audio taped. The audio tapes 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 10:04 am by Alan Kightlinger, Acting Chairman.

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

Board members:

- Blair Poulsen – representing Industry } *telephone/joined the meeting in person at 10:35am*
- Orrin Johnson – representing propane consumers of Nevada } *telephone/joined the meeting in person at 10:39 am*
- Mike Eriksen – representing Industry } *telephone/joined the meeting in person at 10:35am*
- Alan Kightlinger – representing City Fire Service
- Steve Tognoli – representing Rural Fire Service
- Norman Yeager - representing propane consumers of Nevada - *telephone*

Staff:

- Eric Smith – Chief Inspector
- Rick Drake – Field Inspector
- Katie Bavaro – Administrative Assistant



Harry Ward - Deputy Attorney General

Audience: Jae Aiazzi - AmeriGas - Sparks  
Todd Stokes - AmeriGas - Hawthorne/Tonopah  
Tim Smith - AmeriGas - Walker  
Rudy Forster - Granite Propane

Mr. Kightlinger wanted the record to reflect that there is a legal quorum and the full Board was in attendance.

**3) \*Discussion and possible action on the approval of the agenda.**

Mr. Kightlinger entertained a motion to approve the agenda.

Motion: Steve Tognoli: Motioned to approve the agenda as presented.  
Second: Norman Yeager  
Discussion: None  
In Favor: Norman Yeager, Orrin Johnson, Steve Tognoli, Blair Poulsen, Mike Eriksen and Alan Kightlinger  
Opposed: None

**4) \*Discussion and possible action on the approval/disapproval/changes of the minutes of the June 17, 2011 Board meeting.**

Motion: Steve Tognoli: Motioned to approve the minutes as presented.  
Second: Orrin Johnson  
Discussion: None  
In Favor: Norman Yeager, Orrin Johnson, Steve Tognoli, Blair Poulsen and Mike Eriksen  
Abstained: Alan Kightlinger  
Opposed: None

**5) \*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 reported that the two Class 1 applications were modifications. Valley Propane - Tonopah requested to add a storage tank and Propane of Wendover requested to add a dispenser to fill cylinders. Mr. Smith also reported that everything was in order and recommended approval of both.

Motion: Steve Tognoli: Motioned that item 5 section A Class 1 licenses #1 1B Valley Propane and #2 1A Propane of Wendover be approved.  
Second: Norman Yeager  
Discussion: Mr. Tognoli would like to view Fire Safety Analysis documentation. Mr. Smith will have that documentation added to the electronic binder.  
In Favor: Norman Yeager, Orrin Johnson, Steve Tognoli, Blair Poulsen, Mike Eriksen and Alan Kightlinger  
Opposed: None

1. F.G.F., Inc. dba: **Valley Propane**; 212 Golden Crown Rd., Tonopah, NV 89049
2. **Propane of Wendover, Inc.**; 460 Mesa St., West Wendover, NV 89883

## B) Class 2 Licenses

Mr. Smith requested to withdraw agenda item # 5 sub category B # 5 & 6 due to being incomplete. #1-4 and #7-19 applications appear to be in order and recommends approval.

**Motion:** Steve Tognoli: Motioned that agenda item 5 B #1-4 and #7-19 be approved.  
**Second:** Norman Yeager  
**Discussion:** None  
**In Favor:** Norman Yeager, Orrin Johnson, Steve Tognoli, Blair Poulsen, Mike Eriksen and Alan Kightlinger  
**Opposed:** None

1. The Vons Companies dba: **Vons #1963**; 1155 East Twain Ave., Las Vegas, NV 89109
2. Steve Janitzen dba: **Carson Small Engines**; 3590 Hwy 50 East, Carson City, NV 89701
3. Smitten Oil & Tire Co., Inc. dba: **Smedley's Truck Stop**; 1755 W. Williams Ave., Fallon, NV 89406
4. Town Food & Liquors, Inc. dba: **Town Food & Liquor**; 395 S. Maine St., Fallon, NV 89406
7. **Hi-Desert RV**; 5575 E. Winnemucca Blvd., Winnemucca, NV 89445
8. **Country Club Auto Spa**; 9260 S. Eastern Ave., Henderson, NV 89123
9. Maverik Inc. dba: **Maverik #437**; 3010 S. Hwy 160, Pahrump, NV 89048
10. HSREP II Storage - Henderson, LLC dba: **Morningstar Mini Storage**; 80 E. Horizon Ridge Pkwy, Henderson, NV 89002
11. Wild West Gaming, LLC dba: **Goodsprings General Store**; 310 W. Spring St., Goodsprings, NV 89019
12. Brown Mail, Inc. dba: **Express Mart & Liquor**; 8251 W. Charleston, Las Vegas, NV 89117
13. James Lundy dba: **7-Eleven #33022 A**; 497 Longley Lane, Reno, NV 89502
14. Kuldeep Singh dba: **7-Eleven #22523D**; 1401 Peckham Lane, Reno, NV 89502
15. Farhad Nejabat dba: **Victorian Food Mart**; 1675 Victorian Ave., Sparks, NV 89431
16. Fred White dba: **Custom Pressure Cleaners**; 369 N. Main St., Tonopah, NV 89049
17. Walgreen Co. dba: **Walgreens #2658**; 10370 N. McCarran, Reno, NV 89503
18. Wal-Mart dba **Wal-Mart #3408**; 3200 Market St., Carson City, NV 89706

## C) Class 3 Licenses

There were none

## D) Class 4 Licenses

Mr. Smith reported that sub item #1 is a new application and sub item #2 is a ownership change and stated that both applications are in order and recommends approval.

**Motion:** Steve Tognoli: Motioned that agenda item 5 section D Class 4 licenses #1-2 be approved.  
**Second:** Orrin Johnson  
**Discussion:** None  
**In Favor:** Norman Yeager, Orrin Johnson, Steve Tognoli, Blair Poulsen, Mike Eriksen and Alan Kightlinger  
**Opposed:** None

1. Fred White dba: **Custom Pressure Cleaners**; 369 N. Main St., Tonopah, NV 89049
2. LV Gaming Ventures, LLC dba: **M Convenience**; 4161 St. Rose Pkwy Ste A, Henderson, NV 89044

## E) Class 5 Licenses

There were none.

## **6) Public comments**

There were none.

## **7) Industry report and comments.**

At this time Mr. Kightlinger had the audience introduce themselves and apologized that he did not ask them to introduce themselves at the beginning of the meeting.

There were none.

## **8) Reports and/or comments from the Board Members.**

Mike Eriksen: Nothing to report

Orrin Johnson: Nothing to report.

Blair Poulsen: Nothing to report.

Norman Yeager: Nothing to report

Steve Tognoli: Nothing to report

Alan Kightlinger: Nothing to report but commented that in his area it has been a quiet and incident free for couple of months for propane.

## **9) Deputy Attorney General's Report.**

Mr. Kightlinger asked Mr. Ward to introduce himself. Mr. Ward stated he was happy to be the Board's new DAG and did not have anything to report at this time.

At this time Mr. Kightlinger asked the Chief Inspector to introduce himself and his Staff.

**10) 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 read his report and offered that Mr. Drake will be teaching the CETP class in Las Vegas next week. Mr. Smith reported that the Ford Explorer will be traded in today and he and Mr. Drake will be picking up the new Field Inspectors vehicle. On 7/11 Mr. Smith spoke with the Governor's office regarding the 4 open Board member positions and was told that all open positions had received applications and is awaiting the Governor's decision. Mr. Smith also reported that the state mileage rate has changed and the new table is included in the binders. Mr. Smith showed the new 11b refillable cylinders now available for purchase. There was discussion on the cylinders including no valve protection and re-certification. Mr. Kightlinger shared a story of an exploding disposable cylinder involving his nephew. Mr. Smith mentioned that Yellowstone National Park was involved in the development process of these cylinders and will probably ban the usage of the disposable cylinders due to the thousands that are thrown away at the park each year.

Mr. Kightlinger called a short recess.

**Mr. Poulsen and Mr. Eriksen joined the meeting in person at 10:35 am.**

**Mr. Kightlinger turned the meeting over to Mr. Poulsen.**

**11) \*Discussion and possible action** on 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. Tognoli read his report and apologized for the typo on the amount of \$15,176.50.00 should be \$15,176.50. Mr. Tognoli entertained any questions.

**Mr. Johnson joined the meeting in person at 10:39 am.**

Motion: Alan Kightlinger: Moved to accept the Oversight Committee Report as presented and corrected on item #2.  
Second: Mike Eriksen  
Discussion: None  
In Favor: Norman Yeager, Orrin Johnson, Steve Tognoli, Mike Eriksen, Alan Kightlinger and Blair Poulsen  
Opposed: None

Mr. Kightlinger reviewed the budget report and stated the total income for the year was at 85.8% of the projected approved budget from a year ago, with expenditures for the year so far at 84.3%. The deadline to pay FY 2010-11 invoices is August 15, 2011. The gross profit for the year is \$4,991.65. Mr. Kightlinger stated that Staff needed to be authorized to totally close the budget in August and move it on the auditor.

Motion: Mike Eriksen: Moved for approval of the Budget Committee's report through the month of June 2011 and close the year and advance the proper documents for audit.  
Second: Orrin Johnson  
Discussion: None  
In Favor: Norman Yeager, Orrin Johnson, Steve Tognoli, Mike Eriksen, Alan Kightlinger and Blair Poulsen  
Opposed: None

**12) \*Discussion and possible action** on the development of job specific employee evaluation forms for the Board staff.

Mr. Smith reviewed and explained the "rough draft" of the evaluation form for content and format. There was discussion on the form including the need to assign numeric values to the rating of each category and a scale for merit increases. Mr. Poulsen directed Staff to work up another draft of the form and bring it back to the next meeting.

**13) \*Discussion and possible action** on the Board and Nevada Division of Environmental Protection (Department of Conservation and Natural Resources) coordinating their respective authorities governing LP-Gas facilities.

Mr. Smith had nothing to report. There were comments on the EPA involvement in a propane project in Douglas County at Aervoe Industries.

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

There was discussion on the insertion of "Public Comments" at the start and end of the meeting on the agenda. The items requested for the next agenda were: A discussion on the cost to the Board for accepting Credit Cards for payment; Review bids and selection of a new auditor (Mr. Poulsen directed Staff to solicit bids at this time); Review and/or discuss the Governor's selection of new Board members.

**15) \*Discussion and possible action** on the approval of Board members' compensation, per diem and travel expenses.

Mr. Tognoli requested an additional day for preparing the Oversight Committee Report.

Motion: Orrin Johnson: Moved to approve the expenses as requested by the Board members.

Second: Norman Yeager

Discussion: None

In Favor: Norman Yeager, Orrin Johnson, Steve Tognoli, Mike Eriksen, Alan Kightlinger and Blair Poulsen

Opposed: None

**16) \*Adjourn.**

Mr. Poulsen entertained a motion to adjourn.

Motion: Orrin Johnson: Moved to adjourn.

Second: Mike Eriksen

Discussion: None

In Favor: Norman Yeager, Orrin Johnson, Steve Tognoli, Mike Eriksen, Alan Kightlinger and Blair Poulsen

Opposed: None

*Meeting adjourned at 11:07 am*



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## Board Meeting Minutes June 17, 2011

Board Member	1st	2nd	Aye	Nay	Abs	Reason
Blair Poulsen			<i>[Signature]</i>			
Orrin Johnson		X	<i>[Signature]</i>			
Mike Eriksen			<i>[Signature]</i>			
Alan Kightlinger					<i>[Signature]</i>	
Steve Tognoli	X		<i>[Signature]</i>			
Norman Yeager						ON Telephone

**NOTE:** This meeting was audio taped. The audio tapes 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 10:05 am by Blair Poulsen, Chairman.

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

Board members:

- Blair Poulsen – representing Industry
- Orrin Johnson – representing propane consumers of Nevada - *telephone*
- Mike Eriksen – representing Industry - *telephone*
- Alan Kightlinger – representing City Fire Service - *not present*
- Steve Tognoli – representing Rural Fire Service
- Norman Yeager - representing propane consumers of Nevada - *telephone (joined meeting at 10:37am)*

Staff:

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

Mr. Poulsen wanted the record to reflect that Ms. Bavaro was not in the room during the introductions but is present for the meeting.

Audience: Stan Silva - Bi-State Propane  
Craig Stolt - Southwest Development of Arizona - *telephone*

**3) \*Discussion and possible action on the approval of the agenda.**

Mr. Poulsen entertained a motion to approve the agenda.

Motion: Steve Tognoli: Moved to approve the agenda as presented.  
Second: Mike Eriksen  
Discussion: None  
In Favor: Mike Eriksen, Steve Tognoli, Orrin Johnson and Blair Poulsen  
Opposed: None

**4) \*Discussion and possible action on the approval/disapproval/changes of the minutes of the May 20, 2011 Board meeting.**

Motion: Steve Tognoli: Moved to approve the minutes of May 20, 2011 Board meeting as presented.  
Second: Mike Eriksen  
Discussion: None  
In Favor: Mike Eriksen, Steve Tognoli, Orrin Johnson and Blair Poulsen  
Opposed: None

**Item # 15 was taken out of order.**

**15) \*Discussion and possible action on the Board's review and possible acceptance of educational courses for the purpose of meeting the Continuing Education Unit (CEU) requirements set forth in NAC 590.687 and determine the number of CEU's that will be awarded for successful completion of the course.**

Mr. Smith explained that Mr. Stolt is requesting reciprocity for other certifications that he currently holds for his Certificate of Competency (COC) for Nevada. Mr. Smith deferred to Ms. Bavaro to explain the documentation provided to the Board in reference to Mr. Stolt's request. Ms. Bavaro relayed that all the agencies for which Mr. Stolt provided certifications for were contacted via email and that the Railroad Commission of Texas (RCT) provided the most compatible information for the Class 3C COC requirement. Mr. Smith was comfortable with recommending reciprocity for the RCT and asked Mr. Stolt to elaborate on his training to acquire his certification. There was discussion by the Board and it was determined that there were enough hours for reciprocity to be granted for the RCT certification. Mr. Smith recommended reciprocity for agenda item #15 sub item #1 and denied reciprocity for sub items #2 & 3.

Motion: Mike Eriksen: Moved to approve item #15 per the Board's recommendation.  
Second: Steve Tognoli  
Discussion: None  
In Favor: Mike Eriksen, Steve Tognoli, Orrin Johnson and Blair Poulsen  
Opposed: None

**5) \*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.

Sub category "C" was taken out of order.

### C) Class 3 Licenses

Mr. Smith reported that the Class 3C license application is in order and recommends approval. Mr. Smith questioned Mr. Stolt on why he applied for a license in Nevada. Mr. Stolt offered that he was contacted by Aervoe Industries and that location will be his first project in Nevada.

**Motion:** Steve Tognoli: Moved for approval of item #5 section C class 3 licenses.  
**Second:** Mike Eriksen  
**Discussion:** None  
**In Favor:** Mike Eriksen, Steve Tognoli, Orrin Johnson and Blair Poulsen  
**Opposed:** None

1. **Southwest Development of Arizona;** 85 W. Combs Rd. Ste 101, Queen Creek, AZ 85240

Mr. Eriksen asked Mr. Stolt for his opinion on dealing with the LP-Gas Board and other state agencies here in Nevada. Mr. Stolt relayed his limited experience with agencies and stated he was impressed that there is an LP Gas Board and that it consists of agency professionals. Mr. Poulsen offered that the Board really only consisted of two industry members but that the Board maintained a good balance with the other members' representation.

### A) Class 1 Licenses

There were none.

### B) Class 2 Licenses

Mr. Smith reported that there are nine new Class 2B applications and that all the applications appear to be in order and recommends approval.

**Motion:** Steve Tognoli: Motioned that agenda item 5 section B Class 2 licenses #1-13 be approved.  
**Second:** Mike Eriksen  
**Discussion:** None  
**In Favor:** Mike Eriksen, Steve Tognoli, Orrin Johnson and Blair Poulsen  
**Opposed:** None

1. Highland Stores, Inc. dba: **Bi-Rite Market;** 5690 Sun Valley Blvd., Sun Valley, NV 89433
2. Rebecca Camarena dba: **Tejaro Market;** 4753 N. Virginia St., Reno, NV 89506
3. Laljot Corporation dba: **Gold Midjit Market;** 128 Victorian Ave., Sparks, NV 89431
4. NITU, Inc. dba: **Arlington Gas;** 350 S. Arlington, Reno, NV 89501
5. Iqbal Singh Sidhu dba: **Grab N Go Food N Liquor;** 1801 W. 4th St., Reno, NV 89503
6. Maverik, Inc. dba: **Maverik #421;** 10495 Stead Blvd., Reno, NV 89523
7. Maverik, Inc. dba: **Maverik #427;** 955 Ambassador Dr., Reno, NV 89506
8. K T Property Management dba: **NAPA Auto Parts;** 1005 5th St., Hawthorne, NV 86415
9. **Corner Stone Ready Mix, LLC;** 3050 Industrial Loop, Hawthorne, NV 89415
10. Guru Enterprises dba: **Guru Express Market;** 7730 S. Jones Blvd., Las Vegas, NV 89139
11. 7-Eleven, Inc. dba: **7-Eleven #15833L;** 3083 Hwy 50 East, Carson City, NV 89701
12. Raley's dba: **Raley's #110;** 2389 Wingfield Hills, Sparks, NV 89436
13. Lucky Stores, LLC dba: **Albertsons #6059;** 5500 Boulder Hwy, Las Vegas, NV 89122



#### **D) Class 4 Licenses**

Mr. Smith elaborated on the Class 4 license applications and stated that all applications are in order and recommends approval.

**Mr. Yeager joined the meeting at 10:37 am.**

Motion: Mike Eriksen: Moved to approve agenda item 5 sub class D #1-6 as submitted and reported by Staff.  
Second: Steve Tognoli  
Discussion: None  
In Favor: Mike Eriksen, Steve Tognoli, Orrin Johnson, Norman Yeager and Blair Poulsen  
Opposed: None

1. U-Haul Company of Nevada dba **U-Haul**; 1498 E. Williams, Carson City, NV 89701
2. U-Haul Company of Nevada dba **U-Haul**; 3411 S. Virginia St., Reno, NV 89502
3. U-Haul Company of Nevada dba **U-Haul**; 10400 S. Virginia St., Reno, NV 89511
4. U-Haul Company of Nevada dba **U-Haul**; 1790 E. Silverada, Sparks, NV 89431
5. **Ranchers Feed & Supply Company**; 60 E. Surge St., Reno, NV 89506
6. Guru Enterprises dba: **Guru Express Market**; 7730 S. Jones Blvd., Las Vegas, NV 89139

#### **E) Class 5 Licenses**

There were none.

#### **6) Public comments**

There were none.

#### **7) Industry report and comments.**

Mr. Eriksen had nothing to report except that the Federal DOT and PUC were out conducting inspections. Mr. Silva had nothing to report.

#### **8) Reports and/or comments from the Board Members.**

Mike Eriksen: Nothing to report  
Steve Tognoli: Nothing to report.  
Orrin Johnson: Nothing to report.  
Norman Yeager: Nothing to report  
Blair Poulsen: Nothing to report

#### **9) Deputy Attorney General's Report.**

Ms. Bradley reported that Mr. Harry Ward will be permanently replacing Ms. Hemingway as the Board's DAG.

#### **10) Chief Inspector's Report. (General report on office, training, testing, investigations, vehicles, etc.)**

Mr. Smith read his report and elaborated on the recent CETP training that has been completed. Mr. Smith also reported on the Board members application status and that Mr. Karl Hahn will be submitting an application. Ms. Bradley started a discussion about the executive order regarding review of all the Board's regulations. Mr. Smith offered that the Board recently reviewed their regulations and omitted, changed and

added some new ones. Mr. Smith received some photos of a tank that had the internal valve stem sheared off during a tornado in North Carolina that resulted in product loss and reported that Mr. Richard Fredenberg, who is on the NFPA 58 committee with Mr. Smith, will be introducing some language to insure the valves are designed so this could not happen again. Mr. Smith let the Board know that any proposed changes to the NFPA 58 2011 edition will have to be submitted by December and commented that he will also be submitting language on the internal valves as well as the single point of shut-off that was approved this year. Mr. Smith will be proposing any items that the Board approved that were not addressed in the 2011 edition and will bring it to Board for review. Mr. Smith brought up an issue concerning commercial businesses in Clark County who have a BBQ for employees with a 20lb cylinder, that they will now need to obtain a permit from the fire department. Mr. Poulsen requested the status on the new vehicle for the Chief Inspector. Mr. Smith reported that a mix-up on the 4-wheel drive feature resulted in omitting other non-essential features to stay under the purchase price approved by the Board. Mr. Smith also reported that the dealer offered \$2400 trade in for the 2003 Explorer. A discussion was held on whether to trade in the vehicle or sell it. Ms. Bradley offered to look into any other options and report back to the Board.

**11) \*Discussion and possible action** on 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. Tognoli reported that everything is in order and wanted to note that the savings information has been updated and the CD's have been re-allocated and the correct numbers are reflected in the report. Mr. Tognoli also wanted to note that the database back-up address has been changed and asked for any questions from the Board members. Mr. Eriksen clarified that the numbers shown on the Oversight Report are correct through June 14, 2011 and they are different than on the financial reports.

Motion: Mike Eriksen: Moved to approve the Oversight Committee Report.  
Second: Orrin Johnson  
Discussion: None  
In Favor: Mike Eriksen, Steve Tognoli, Orrin Johnson, Norman Yeager and Blair Poulsen  
Opposed: None

Mr. Eriksen read the budget report in Mr. Kightlinger's absence. Mr. Eriksen reported that the income is at 77.3% which is a little bit behind what is budgeted but hopefully the income for May and June will bring that number up. The expenses are at 78% and are coinciding with the income. Overall the budget is in good shape even considering the changes that were made to the licensing fees and should finish the year within about 5% of the budget.

Motion: Steve Tognoli: Moved to approve the budget committee's report as submitted.  
Second: Orrin Johnson  
Discussion: None  
In Favor: Mike Eriksen, Steve Tognoli, Orrin Johnson, Norman Yeager and Blair Poulsen  
Opposed: None

## **12) Legislative Update.**

Mr. Smith reported that he received a final legislative report from Mr. Lee. Mr. Smith did not read the whole report but touched on that none of the Boards accounts will be swept and the new open meeting law requiring the Chairman to ask for public comment at the beginning of each meeting. Ms. Bradley noted that the bill for agencies to accept credit cards for payment passed and she wasn't sure if the agency can recoup any fees for the processing of the credit cards. Mr. Eriksen had nothing to add.

**13) \*Discussion and possible action** on the addition and/or deletion of signors on the Board's checking and CD accounts.

Mr. Smith reported that Mr. Johnson's signature has been added to the account. There was discussion on Mr. Johnson's question as to why Mr. Smith was not a signator on the account. Mr. Poulsen offered an explanation as to the Board's decision and other comments from the Board members of their understanding of accounting practices.

**14) \*Discussion and possible action** on the Board's staff's annual performance evaluations. The Board may move to close the meeting to consider the character, allegations of misconduct and professional competence of the Field Inspector. Closed session will be discussion only; no action will be taken in closed session. Discussion and possible action in open session including but not limited to, promotion, retention, increase in pay, suspension, demotion or termination of the Chief Inspector and Field Inspector.

Mr. Smith offered the Board a generic evaluation form for review. A discussion followed on different forms that have been used with Mr. Tognoli stating that specific areas for evaluation should be on the evaluation form. The need for an evaluation procedure was discussed and Mr. Poulsen directed Mr. Smith to develop evaluation forms and procedure and bring it back to the Board for review. Mr. Poulsen asked the other Board members if there was any interest in having a closed session. Mr. Tognoli brought up the fact that if a person is being evaluated and it is on the agenda that the person has to be given written notice in accordance with the open meeting laws. Mr. Poulsen wanted the record to reflect that neither the Board members nor Mr. Drake or Ms. Bavaro were interested in a closed session. Mr. Smith has evaluated the Administrative Assistant position and will report to the Board next month.

Mr. Drake was given a very positive evaluation by the Board members with comments on what a great job he does for the Board and how helpful he is. Mr. Poulsen added that the Board appreciates Mr. Drake and he has no complaints with Mr. Drake's abilities and/or his fulfillment of his duties.

Mr. Poulsen commented that it was unfortunate that the Board is not in a position to give merit increases to Staff at this time.

**Motion:** Mike Eriksen: Motioned that the Board is happy with Mr. Drake's performance and his continued employment will be appreciated and accepted.  
**Second:** Steve Tognoli  
**Discussion:** None  
**In Favor:** Mike Eriksen, Steve Tognoli, Orrin Johnson, Norman Yeager and Blair Poulsen  
**Opposed:** None

Mr. Drake thanked the Board members.

Mr. Poulsen opened the floor for discussion on the evaluation for Mr. Smith. The Board members commended Mr. Smith on the excellent management of his Staff and all his duties for the Board. Mr. Smith was complimented on his handling of the Board's budget and finances as well as being impressive in the way he thinks ahead and prepares the Board for any impending issues. Mr. Smith does an outstanding job and is appreciated.

**Motion:** Steve Tognoli: Motioned that the Board complete Mr. Smith's performance evaluation with an above average performance evaluation.  
**Second:** Mike Eriksen  
**Discussion:** None  
**In Favor:** Mike Eriksen, Steve Tognoli, Orrin Johnson, Norman Yeager and Blair Poulsen

Opposed: None

Mr. Smith thanked the Board members.

Mr. Poulsen thanked Ms. Bavaro for doing a great job as well.

**16) \*Discussion and possible action** on the Board and Nevada Division of Environmental Protection (Department of Conservation and Natural Resources) coordinating their respective authorities governing LP-Gas facilities.

Mr. Smith had nothing to report. Mr. Tognoli offered that due to a big shake-up in the Department of Public Safety there will be a new Fire Marshal.

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

The Staff evaluation forms.

**18) \*Discussion and possible action** on the approval of Board members' compensation, per diem and travel expenses.

Mr. Tognoli requested an additional day for preparing the Oversight Committee Report.

Motion: Mike Eriksen: Moved for approval of the Board members compensation, per diem and travel expenses as submitted.

Second: Steve Tognoli

Discussion: None

In Favor: Mike Eriksen, Steve Tognoli, Orrin Johnson, Norman Yeager and Blair Poulsen

Opposed: None

**19) \*Adjourn.**

Mr. Poulsen entertained a motion to adjourn.

Motion: Steve Tognoli: So moved.

Second: Orrin Johnson

Discussion: None

In Favor: Mike Eriksen, Steve Tognoli, Orrin Johnson, Norman Yeager and Blair Poulsen

Opposed: None

*Meeting adjourned at 11:51am*



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## Board Meeting Minutes May 20, 2011

Board Member	1st	2nd	Aye	Nay	Abs	Reason
Blair Poulsen			<del>3</del>			
Orrin Johnson						ON TELEPHONE
Mike Eriksen		X	<del>1</del>			
Alan Kightlinger						NOT PRESENT
Steve Tognoli	X		<del>1</del>			
Norman Yeager						Not Present

**NOTE:** This meeting was audio taped. The audio tapes 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 10:03 am by Blair Poulsen, Chairman.

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

Board members:

- Blair Poulsen – representing Industry
- Orrin Johnson – representing propane consumers of Nevada
- Mike Eriksen – representing Industry - *telephone*
- Alan Kightlinger – representing City Fire Service
- Steve Tognoli – representing Rural Fire Service
- Norman Yeager - representing propane consumers of Nevada - *telephone*

Staff:

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

**3) \*Discussion and possible action** on the approval of the agenda.

Mr. Poulsen entertained a motion to approve the agenda.

**Motion:** Alan Kightlinger: Moved to accept the agenda as publicly posted.  
**Second:** Steve Tognoli  
**Discussion:** None  
**In Favor:** Alan Kightlinger, Orrin Johnson, Steve Tognoli, Norman Yeager, Mike Eriksen and Blair Poulsen  
**Opposed:** None

**4) \*Discussion and possible action** on the approval/disapproval/changes of the minutes of the April 15, 2011 Board meeting.

Mr. Kightlinger wanted the record to be known that Mr. Poulsen beat his opening record by 3 minutes.

**Motion:** Steve Tognoli: Moved to approve the minutes of April 15, 2011 Board meeting as presented.  
**Second:** Orrin Johnson  
**Discussion:** None  
**In Favor:** Alan Kightlinger, Orrin Johnson, Steve Tognoli, Norman Yeager, Mike Eriksen and Blair Poulsen  
**Opposed:** None

**5) \*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**

There were none.

**B) Class 2 Licenses**

Mr. Smith reported that the majority of the 37 Class 2B applications are name changes and all the applications appear to be in order and recommends approval.

**Motion:** Alan Kightlinger: Moved to accept agenda item 5-B Bravo sub category #1-37 as Staff report and submitted.  
**Second:** Orrin Johnson  
**Discussion:** None  
**In Favor:** Alan Kightlinger, Orrin Johnson, Steve Tognoli, Norman Yeager, Mike Eriksen and Blair Poulsen  
**Opposed:** None

1. Simrandhillon, Inc. dba: **City Corner Gas & Grocery**; 1000 E. 2nd St., Reno, NV 89503
2. RSK Stores dba: **Citi Mart**; 91 E. Prater Way, Sparks, NV 89431
3. Chinsuk, Inc. dba: **7-Eleven #34040A**; 7325 S. Buffalo, Las Vegas, NV 89113
4. Safeway Stores, Inc. dba: **Safeway Store #2656**; 2858 Vista Blvd., Sparks, NV 89436
5. Safeway Stores, Inc. dba: **Safeway Convenience Store/Fuel #4626**; 2808 Vista Blvd., Sparks, NV 89436
6. Safeway Stores, Inc. dba: **Safeway Convenience Store/Fuel #4628**; 5150 Mae Anne Ave. Bldg. F, Reno, NV 89523
7. Mapp Enterprises, Inc. dba: **Arco AM/PM #82380**; 1017 N. Carson St., Carson City, NV 89701

8. Parampreet Investment LLC dba: **Chuck's Circle C Market**; 20255 Cold Springs Rd., Reno, NV 89508
9. Mannat, Corp. dba: **7-Eleven #32195**; 8925 S. Las Vegas Blvd., Las Vegas, NV 89123
10. Warina Buni dba: **Amigo's Market & Liquor**; 2848 E. Lake Mead Blvd., North Las Vegas, NV 89030
11. CVS 2948 Henderson, LLC dba: **CVS Pharmacy #2948**; 630 S. Green Valley Pkwy, Henderson, NV 89502
12. Nevada CVS Pharmacy L.L.C dba: **CVS Pharmacy #121**; 1402 E. Lake Mead Blvd., Henderson, NV 89015
13. Nevada CVS Pharmacy L.L.C dba: **CVS Pharmacy #9770**; 2830 Bicentennial, Henderson, NV 89052
14. Nevada CVS Pharmacy L.L.C dba: **CVS Pharmacy #1507**; 2935 S. Hollywood Blvd., Las Vegas, NV 89115
15. Nevada CVS Pharmacy L.L.C dba: **CVS Pharmacy #82**; 6432 Losee Rd., North Las Vegas, NV 89086
16. Warm Springs Rd CVS, LLC dba: **CVS Pharmacy #5811**; 1990 W. Sunset Rd., Henderson, NV 89014
17. Warm Springs Rd CVS, LLC dba: **CVS Pharmacy #5286**; 21 W. Horizon Ridge Pkwy, Henderson, NV 89012
18. Warm Springs Rd CVS, LLC dba: **CVS Pharmacy #6717**; 60 N. Valle Verde, Henderson, NV 89074
19. Warm Springs Rd CVS, LLC dba: **CVS Pharmacy #2928**; 1825 W. Warm Springs Rd., Las Vegas, NV 89119
20. Warm Springs Rd CVS, LLC dba: **CVS Pharmacy #5792**; 2425 E. Desert Inn Rd., Las Vegas, NV 89121
21. Warm Springs Rd CVS, LLC dba: **CVS Pharmacy #4786**; 2735 S. Maryland Pkwy, Las Vegas, NV 89109
22. Warm Springs Rd CVS, LLC dba: **CVS Pharmacy #4784**; 3270 S. Buffalo Dr., Las Vegas, NV 89117
23. Warm Springs Rd CVS, LLC dba: **CVS Pharmacy #2955**; 3290 S. Fort Apache, Las Vegas, NV 89117
24. Warm Springs Rd CVS, LLC dba: **CVS Pharmacy #2930**; 4595 E. Flamingo Rd., Las Vegas, NV 89121
25. Warm Springs Rd CVS, LLC dba: **CVS Pharmacy #2990**; 6391 W. Lake Mead Blvd., Las Vegas, NV 89108
26. Warm Springs Rd CVS, LLC dba: **CVS Pharmacy #2929**; 7190 W. Craig Rd., Las Vegas, NV 89129
27. Warm Springs Rd CVS, LLC dba: **CVS Pharmacy #5942**; 7285 S. Durango Dr., Las Vegas, NV 89113
28. Warm Springs Rd CVS, LLC dba: **CVS Pharmacy #5113**; 7295 S. Rainbow Blvd., Las Vegas, NV 89118
29. Warm Springs Rd CVS, LLC dba: **CVS Pharmacy #5068**; 9405 W. Russell Rd., Las Vegas, NV 89148
30. Warm Springs Rd CVS, LLC dba: **CVS Pharmacy #5043**; 9695 S. Maryland Pkwy, Las Vegas, NV 89123
31. Warm Springs Rd CVS, LLC dba: **CVS Pharmacy #7252**; 3655 W. Craig Rd., North Las Vegas, NV 89032
32. Warm Springs Rd CVS, LLC dba: **CVS Pharmacy #2989**; 4755 W. Ann Rd., North Las Vegas, NV 89031
33. Warm Springs Rd CVS, LLC dba: **CVS Pharmacy #4495**; 5545 Camino Al Norte, North Las Vegas, NV 89031
34. Warm Springs Rd CVS, LLC dba: **CVS Pharmacy #7251**; 7285 Aliante Pkwy, North Las Vegas, NV 89084
35. Walgreen Co. dba: **Walgreens #7864**; 7755 N. Durango Dr., Las Vegas, NV 89131
36. Walgreen Co. dba: **Walgreens #5619**; 3030 N. Las Vegas Blvd., North Las Vegas, NV 89030
37. Raley's dba: **Raley's Aisle 1 #160**; 2433 Wingfield Hills Rd., Sparks, NV 89436

### C) Class 3 Licenses

Mr. Smith reported that the Class 3B license is re-licensing under a new name. Mr. Smith stated the application appears to be in order and recommends approval.

Motion: Orrin Johnson: Moved to approve 5-Charlie #1.  
 Second: Steve Tognoli  
 Discussion: None  
 In Favor: Alan Kightlinger, Orrin Johnson, Steve Tognoli, Norman Yeager, Mike Eriksen and Blair Poulsen  
 Opposed: None

1. Dixon Mobile Homes, Inc. dba: **Safari Stores**; 2802 Kietzke Lane, Reno, NV 89502

### D) Class 4 Licenses

Mr. Smith requested to withdraw sub item #4. This application is a name change and needs an upgrade to current standards which is not complete at this time. Staff feels the other applications appear to be in order and approval of # 1,2,3,5 & 6 is recommended.

Motion: Alan Kightlinger: Moved to approve agenda item 5-D #1, 2, 3, 5 & 6 as recommended by Staff and submitted.  
 Second: Steve Tognoli  
 Discussion: None  
 In Favor: Alan Kightlinger, Orrin Johnson, Steve Tognoli, Norman Yeager, Mike Eriksen and Blair Poulsen

Opposed: None

1. **Diversified Vehicle Repair Center, Inc.**; 3033 Waltham Way, McCarran, NV 89434
2. **America Rents, Inc.**; 10450 s. Virginia St., Reno, NV 89511
3. Short Line Operations, LLC dba: **Short Line Express Market #10**; 6390 N. Durango Dr., Las Vegas, NV 89149
5. Beatty Investments, LLC dba: **Death Valley Inn**; 651 S. Hwy 95, Beatty, NV 89003
6. **Hi Desert RV**; 5575 E. Winnemucca Blvd., Winnemucca, NV 89445

#### **E) Class 5 Licenses**

There were none.

#### **6) Public comments**

There were none.

#### **7) Industry report and comments.**

Mr. Eriksen had nothing to report but wanted to comment on the Western Propane Gas Association convention held in Reno last week. Mr. Eriksen reported that there was a great trade show and at the dinner he was recognized by the NPDA and presented an award by Mr. Poulsen. Mr. Poulsen was honored to have presented Mr. Eriksen with the award.

#### **8) Reports and/or comments from the Board Members.**

Alan Kightlinger: Nothing to report but commented that there were no propane incidents this year within his jurisdiction.  
Orrin Johnson: Nothing to report.  
Steve Tognoli: Nothing to report.  
Norman Yeager: Nothing to report but offered that it was 77 degrees and rising in the Las Vegas area.  
Mike Eriksen: Nothing to report and offered that it was 41 degrees and raining in Wells.  
Blair Poulsen: Nothing to report. Perfect weather here in Carson City.

#### **9) Deputy Attorney General's Report.**

Ms. Buoncristiani reported for Ms. Bradley that the Board members whose terms are expiring continue to serve if they choose to until their successors are appointed by the Governor. In the matter of whether the Board taking credit cards for payment as proposed in AB402 can recover their processing costs, Ms. Bradley reported that there was no research or opinions available from the AG's office but advised the Board to wait to see if the bill is passed to see if this concern was addressed.

#### **10) Chief Inspector's Report. (General report on office, training, testing, investigations, vehicles, etc.)**

Mr. Smith elaborated on his report. Mr. Drake, in conjunction with the Contractors Board, inspected a complaint of a sub-standard piping installation. Mr. Smith felt that this collaboration opened up some nice doors between the two Boards. Mr. Smith relayed an incident that he found out about in Las Vegas of a vehicle jumping a curb and crashing through the barriers and damaging a dispenser. The most important aspect of this incident was that the installation was a one piece dispenser unit which remained intact and resulted in no product release. With a different installation, Mr. Smith felt that the chance of an incident would have been greater. Mr. Smith gave his opinion on some of the items he saw at the trade show particularly the new smaller refillable cylinders. A discussion followed about how the cylinders would be re-filled or exchanged and what groups would benefit most from them. Mr. Poulsen wanted it noted that



Mr. Drake spoke at the NPDA meeting on the snow load issue as well as other issues. Mr. Kightlinger requested an update of the Truckee area snow load issue. Mr. Smith summarized what he was told by AmeriGas and that the issue has been resolved.

**11) \*Discussion and possible action** on 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. Tognoli read his report and stated that all accounts are in line and included the interest earned on the CDs in his report then entertained any questions from the Board members. Mr. Kightlinger commented that the accounts receivables are much more in balance than they have been. Mr. Kightlinger questioned if the Oversight Committee had a recommendation on what to do with the funds from the CDs. Mr. Tognoli recommended to roll the monies back into 6 month CDs after the capital expense for the vehicle is subtracted. The Board Chairman instructed Staff to facilitate the adding of Mr. Johnson's signature to the Board's Wells Fargo Checking Account.

Motion: Alan Kightlinger: Moved to accept the Oversight Committee Report and the Oversight Committee's recommendation of re-deposit in a 6 month CD the 3 accounts minus the Staff's estimate of capital funds needed for the purchase of the vehicle at a later agenda item.  
Second: Orrin Johnson  
Discussion: None  
In Favor: Alan Kightlinger, Orrin Johnson, Steve Tognoli, Norman Yeager, Mike Eriksen and Blair Poulsen  
Opposed: None

Mr. Kightlinger gave an overview of the reports and stated that the income is at 72% and the expenses are at 73.9% with 83% of the year expended. The income is 10% lower than it should be but should balance out at the end of the final quarter. Mr. Kightlinger asked Mr. Eriksen to keep an eye on those figures and report next month as he will not be attending next month's meeting.

Motion: Orrin Johnson: Moved to approve the budget report as submitted.  
Second: Steve Tognoli  
Discussion: None  
In Favor: Alan Kightlinger, Orrin Johnson, Steve Tognoli, Norman Yeager, Mike Eriksen and Blair Poulsen  
Opposed: None

## **12) Legislative Report.**

Mr. Smith reported that he received an update on the bills that are being followed for the Board by Keith Lee via email. Mr. Smith gave an overview of Mr. Lee's report and touched on the following bills: AB59 states that any Board Member who knows of a violation of the open meeting laws will be fined \$500. Ms. Buoncristiani offered that there is not an automatic fine. A claim has to be filed with the AG's office and it proceeds from there. AB402 requires for state offices to accept debit and credit cards. Mr. Smith feels that the concern of costs being paid by the agencies is being addressed. AB474 is the start up of the Sunset Sub Committee for Boards and Commissions which will request detailed information from each Board and a recommendation will be made whether or not that Board will continue to exist, if so this process will be repeated every 10 years. Mr. Smith gave an overview of other tax bills before the Legislature.

**Mr. Yeager left the meeting at 10:50am.**

Mr. Johnson commented on SB354 in that the Chairman of each Board needs to be one of the public members of each Board. Mr. Johnson did not feel that bill was going anywhere. Mr. Johnson had spoken with Mr. Lee about the Boards concern of whether or not there was word about confiscating any excess funds from the Board. Mr. Lee had not heard anything discussed but had the opinion that people recognize self-sufficient Boards like ours and it would be foolish for them to disincentivise Boards to be financially prudent like we have been. Mr. Johnson commented on the Sunset Commission and stated he is not worried about the LP-Gas Board. Other questions were raised about special legislative sessions and authorities for a special session.

Mr. Eriksen reported that AB569 has exemptions at the end of the bill with purchase definitions and for services of delivery for gas, electricity or water through main lines or pipes. Mr. Eriksen is hoping that this exemption will include the delivery of propane. Mr. Smith thought the bill might not go anywhere.

**13) \*Discussion and possible action on the Board's position on the following Legislative bills:**

- A. AB402 - Requires a state agency to enter into or participate in a contract to allow it to accept credit cards, debit cards or electronic transfers of money to the agency unless it is impracticable for the agency to do so. (BDR 31-968)
- B. AB474 - Creates the Sunset Subcommittee of the Legislative Commission to review certain boards and commissions. (BDR 18-889)

Mr. Poulsen requested any discussion on the bills listed above. There was none.

**14) \*Discussion and possible action on the purchase of a new vehicle to replace the 2003 Ford Explorer currently utilized by the Chief Inspector.**

Mr. Smith turned the floor over to Mr. Drake. Mr. Drake proceeded to explain to the Board that Jones West Ford is the only vendor on the state's vehicle purchasing list that still has production dates through September for pick-up trucks. There was discussion on the material provided for different types of trucks to be considered. The types of different engines were discussed and the Board decided to purchase the Ford F-150 1/2 ton with the extended cab and 4-wheel drive package and include the sync system in that purchase.

**Motion:** Alan Kightlinger: Moved to authorized Staff to purchase a new Ford F-150 4-wheel drive pick-up with the economy based V-8 and the XLT package including satellite radio, with the figure for the transfer from capital depreciation fund to active capital purchase in the final quarter to be \$25,500 to execute the purchase. Staff is to negotiate a trade-in or a cash sale of the current vehicle, that figure and any remainder of the \$25,500 to be deposited in the checking account until such time that the CDs mature and then be deposited back into the depreciation fund.

**Second:** Orrin Johnson

**Discussion:** None

**In Favor:** Alan Kightlinger, Orrin Johnson, Steve Tognoli, Norman Yeager, Mike Eriksen and Blair Poulsen

**Opposed:** None

Mr. Drake was thanked for his research and input. Mr. Kightlinger requested a report next month on the trade in value of the current vehicle or if the Board will have to go back to State Purchasing for outright sale of the vehicle.

**15) \*Discussion and possible action on the review and possible acceptance of the 2011-12 proposed fiscal budget of the Board.**

Mr. Kightlinger reported that the proposed budget is a flat budget with the only caveat being the requirement of Boards and Commissions possibly being subject to the salary roll back in the final approved budget. The flat budget is including letting the employees absorb their share of the PERS increase. The floor was given to Mr. Smith for details on the spreadsheets provided to the Board members. Mr. Smith elaborated on the proposed budget with the biggest change being the implementation of the new Certificate of Competency program. Mr. Smith touched on other items like the new PEBS rate that may affect the budget due to the new rate not being released until a later date and the PERS increase which Mr. Smith proposed to absorb the cost for the other Board Staff and the cost be taken out of his salary. The committee held discussions on this issue with legal liability issues for the Board raised by Mr. Kightlinger. Mr. Kightlinger wanted to publicly thank Mr. Smith for his thought and decided that this subject can be discussed in more detail at a later date. Mr. Poulsen was in agreement. Even with the unknown factors of the cost of PEBS and the PERS increase, the Budget Committee was still able to recommend a flat budget.

**Motion:** Orrin Johnson: Moved to approve the budget as submitted for the next fiscal year.  
**Second:** Steve Tognoli  
**Discussion:** None  
**In Favor:** Alan Kightlinger, Orrin Johnson, Steve Tognoli, Norman Yeager, Mike Eriksen and Blair Poulsen  
**Opposed:** None

**16) \*Discussion and possible action** on the submission of the Board's recommendations to the Governor's office for retention or replacement of the four Board members (Blair Poulsen, Alan Kightlinger, Steve Tognoli and Norman Yeager) whose terms are expiring June 30, 2011.

Mr. Kightlinger believes, that with the poll taken last month and the report by the DAG, this subject is closed and the decision to re-submit an application is a personal decision. The Chief Inspector can keep the Chairman informed on the status of applications. Mr. Yeager has previously stated that he does not want to be re-appointed but will stay on the Board until there is a new appointment for his position. The consideration of putting Mr. Kightlinger into the open Consumer position and appoint a new person for the Career (City) Fire position has been brought up to the Governors Office and Mr. Smith is waiting for an answer. Mr. Smith stated that there are no applications to become Board members for the LP-Gas Board at this time.

**17) \*Discussion and possible action** on the Board and Nevada Division of Environmental Protection (Department of Conservation and Natural Resources) coordinating their respective authorities governing LP-Gas facilities.

Mr. Smith had nothing to report.

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

There are no new items. Mr. Kightlinger informed the Board that he will be out of the area but will be available to Staff if a quorum for the next meeting is necessary.

**19) \*Discussion and possible action** on the approval of Board members' compensation, per diem and travel expenses.

Mr. Tognoli requested an additional day for preparing the Oversight Report. Mr. Yeager requested via email that he receive no more compensation for being a Board member.

**Motion:** Alan Kightlinger: Moved that agenda item #19 records be approved as submitted.

Second: Steve Tognoli  
Discussion: None  
In Favor: Alan Kightlinger, Orrin Johnson, Steve Tognoli, Norman Yeager, Mike Eriksen and Blair Poulsen  
Opposed: None

**20) \*Adjourn.**

Mr. Poulsen entertained a motion to adjourn.

Motion: Orrin Johnson: So moved.  
Second: Steve Tognoli  
Discussion: None  
In Favor: Alan Kightlinger, Orrin Johnson, Steve Tognoli, Norman Yeager, Mike Eriksen and Blair Poulsen  
Opposed: None

*Meeting adjourned at 11:45am*



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## Board Meeting Minutes April 15, 2011

Board Member	1st	2nd	Aye	Nay	Abs	Reason
Blair Poulsen						
Orrin Johnson		X				
Mike Eriksen						ON telephone
Alan Kightlinger						
Steve Tognoli	X					
Norman Yeager						ON telephone

**NOTE:** This meeting was audio taped. The audio tapes 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 10:06 am by Blair Poulsen, Chairman.

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

Board members:

- Blair Poulsen – representing Industry
- Orrin Johnson – representing propane consumers of Nevada
- Mike Eriksen – representing Industry - *telephone*
- Alan Kightlinger – representing City Fire Service
- Steve Tognoli – representing Rural Fire Service - *telephone*
- Norman Yeager - representing propane consumers of Nevada - *telephone*

Staff:

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

Audience: Rudy Forster, Granite Propane

3) **\*Discussion and possible action** on the approval of the agenda.

Mr. Poulsen entertained a motion to approve the agenda.

Motion: Orrin Johnson: So moved.  
Second: Alan Kightlinger  
Discussion: None  
In Favor: Alan Kightlinger, Orrin Johnson, Steve Tognoli, Norman Yeager, Mike Eriksen and Blair Poulsen  
Opposed: None

4) **\*Discussion and possible action** on the approval/disapproval/changes of the minutes of the March 18, 2011 Board meeting.

Motion: Orrin Johnson: Motioned to approve the minutes of March 18, 2011 Board meeting.  
Second: Mike Eriksen  
Discussion: None  
In Favor: Alan Kightlinger, Orrin Johnson, Steve Tognoli, Norman Yeager, Mike Eriksen and Blair Poulsen  
Opposed: None

5) **\*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.

Ms. Bradley was asked by Mr. Poulsen if the entire verbage of agenda item #5 had to be read. Ms. Bradley stated that it was not necessary to read the entire item as long as the minutes were clear on what the Chairman was referring to.

**A) Class 1 Licenses**

There were none.

**B) Class 2 Licenses**

Mr. Smith reported that there were ten new class 2B license applications and all applications appear to be in order and recommended approval.

It was noted that copies of the Class 2B applications were not included in the Board member's binders.

Motion: Alan Kightlinger: Moved to approve agenda 5-B sub #1-11 as presented and Staff recommendation.  
Second: Orrin Johnson  
Discussion: None  
In Favor: Alan Kightlinger, Orrin Johnson, Steve Tognoli, Norman Yeager, Mike Eriksen and Blair Poulsen  
Opposed: None

1. Safeway, Inc. dba: **Safeway Store #1517**; 890 W. William St., Fallon, NV 89406
2. Safeway, Inc. dba: **Safeway Store #2255**; Hwy 94 & Armory, Hawthorne, NV 89415

3. Safeway, Inc. dba: **Safeway Store #2247**; 2035 N. Carson St., Carson City, NV 89701
4. Safeway, Inc. dba: **Safeway Store #4160**; 400 Dartmouth Ave., Lovelock, NV 89419
5. Warehouse Concepts dba: **Food Source #754**; 4047 S. Virginia St., Reno, NV 89502
6. Vegas Express Gas Mart #2, LLC dba: **Vegas Express Gas Mart #2**; 4401 E. Bonanza, Las Vegas, NV 89110
7. The Vons Companies, Inc. dba: **Vons #1688**; 820 S. Rampart Blvd., Las Vegas, NV 89145
8. The Vons Companies, Inc. dba: **Vons #2615**; 45 E. Horizon Ridge, Henderson, NV 89012
9. The Vons Companies, Inc. dba: **Vons #2391**; 1031 Nevada Hwy, Boulder City, NV 89005
10. The Vons Companies, Inc. dba: **Vons #2511**; 2667 Windmill Pkwy, Henderson, NV 89014
11. Wal-Mart Stores, Inc. dba: **Wal-Mart Supercenter #2050**; 300 E. Lake Mead Dr., Henderson, NV 89015

#### C) Class 3 Licenses

There were none.

#### D) Class 4 Licenses

Mr. Smith offered that the both of the Class 4 applications are new installations and their applications appear to be in order and recommends approval.

Motion: Orrin Johnson: Moved to approve agenda item 5-Delta sub #1 & 2 as submitted and recommended by Staff.  
 Second: Alan Kightlinger is on record as sneezing his second.  
 Discussion: Mr. Poulsen inquired about the emergency shut-off switch location for Air-Gas West, Inc. which was not shown on the site plan. Mr. Johnson withdrew his motion with the approval of Mr. Kightlinger until the the emergency shut-off switch can be verified with the supplier by Mr. Drake.

Motion: Orrin Johnson: Motioned to approve 5-Delta sub #1 as submitted and recommended by Staff.  
 Second: Norman Yeager  
 Discussion: None  
 In Favor: Alan Kightlinger, Orrin Johnson, Steve Tognoli, Norman Yeager, Mike Eriksen and Blair Poulsen  
 Opposed: None

1. Lee Harrison Holdings, Inc. dba: **Peak Mart**; 9010 W. Flamingo Rd., Las Vegas, NV 89147

The application for Airgas West will be revisited.

#### E) Class 5 Licenses

There were none.

#### 6) Public comments

There were none.

#### 7) Industry report and comments.

Mr. Eriksen had nothing industry related to report but stated the Legislative session was well under way and

today was the deadline to get all the bills out of their respective committees. Mr. Forster reported that the WPGA convention is coming May 11-13 to Reno. Mr. Poulsen had nothing to report.

8) Reports and/or comments from the Board Members.

Alan Kightlinger: Wanted to thank the Staff for providing excellent training in Elko. The turnout was great (23) and the LPG portion was presented first and went very well. Mr. Poulsen suggested that Staff should start a binder or file with all the newspaper articles generated by the trainings they provide. Mr. Kightlinger suggested that Staff send out a short article announcing future trainings to the areas they will be training in.

Steve Tognoli: Nothing to report.

Orrin Johnson: Nothing to report.

Norman Yeager: Nothing to report but stated that after 18 months of medical testing nothing was found in his system and he would be attending the meeting next month.

Mike Eriksen: Wanted to offer condolences to Jae Aiazzi, an employee of AmeriGas, whose son passed away in a tragic accident and stated that if anyone wanted to donate any money to the family for memorial services there is an account set up at US Bank.

Blair Poulsen: Nothing to report.

9) Deputy Attorney General's Report.

Ms. Bradley had nothing to report.

10) Chief Inspector's Report. (General report on office, training, testing, investigations, vehicles, etc.)

Mr. Smith elaborated on his report and touched on the snow load issue in Serene, CA and the problems with systems leaking. Mr. Smith stated that there have been no reports of this type in Nevada. Mr. Eriksen brought up the importance of the fact that these incidents were not happening in Nevada due to better rules and better implementation of the regulations with the LP-Gas Board being the only organization enforcing the rules for the entire state. Mr. Eriksen believes that this will be an important factor when it comes time to show the importance of the Board to the Sunset Commission. Mr. Poulsen relayed what equipment his company would be implementing to help with this issue and encouraged Staff to contact and follow-up with the volunteer fire district for that area to offer their expertise. Mr. Kightlinger offered that in Nevada the local fire departments, districts and State Fire Marshals office exempt out authority to the Nevada LP-Gas Board which helps with uniformity and application of NFPA 54 & 58. There was discussion on a future application that will be submitted by Granite Propane utilizing plans that were approved by the Board 10 years ago. Mr. Forster posed the question to the Board of whether or not he will need a new "wet stamp" from a certified engineer. The Board decided that he would have to resubmit plans with a current stamp.

**Agenda item #5-D sub #2 was revisited.**

Mr. Drake had contacted Jesse Gonzales with AmeriGas and was informed that the correct number of feet is 30 for the emergency shut-off switch not 300.

Orrin Johnson: With the new information motioned to approve 5-Delta sub #2 as submitted and recommended by Staff.

Second: Alan Kightlinger

Discussion: None

In Favor: Alan Kightlinger, Orrin Johnson, Steve Tognoli, Norman Yeager, Mike Eriksen and Blair Poulsen

Opposed: None



1. Airgas-West, Inc.; 3560 Losee Rd., N. Las Vegas, NV 89090

11) \*Discussion and possible action on 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. Tognoli read his report and stated that there was nothing out of the ordinary on his report and entertained any questions from the Board members.

Motion: Orrin Johnson: Moved to approve the Oversight Committee Report.  
Second: Alan Kightlinger  
Discussion: None  
In Favor: Alan Kightlinger, Orrin Johnson, Steve Tognoli, Norman Yeager, Mike Eriksen and Blair Poulsen  
Opposed: None

Mr. Kightlinger gave an overview of the reports and stated that with 75% of the year expended the income is at 61.7% and the expenses are at 63.8 %. The Board is staying within budget and, with a compliment to Staff and the management of this Board, operating a very fiscally conservative operation for the amount of activities the Board is involved in. Mr. Eriksen had nothing to add. Mr. Smith wanted the record to reflect that the CDs mature next month and the Chief Inspectors vehicle will be purchased this quarter.

Mr. Poulsen entertained a motion to approve the budget report.

Motion: Orrin Johnson: Moved to approve the budget report.  
Second: Mike Eriksen  
Discussion: None  
In Favor: Alan Kightlinger, Orrin Johnson, Steve Tognoli, Norman Yeager, Mike Eriksen and Blair Poulsen  
Opposed: None

## 12) Legislative Report.

Mr. Smith received an email from Keith Lee, the Board's legislative liason, giving a brief overview of the bills that are being tracked for the Board. The biggest bill concerning the Board is the Sunset bill for Boards and Commissions that will require all to answer a questionnaire that will determine which Boards and Commissions will be reviewed over a 10 year period. There was a discussion on the suspension of re-appointments to Boards. Mr. Johnson volunteered to find out about this issue. Ms. Bradley offered that the position of the Attorney General's Office is that in the event of no new appointments the Board members who are expiring can continue to serve until new appointments are made if they choose to and the legal quorum may be reduced to accommodate the remaining members. Ms. Bradley will double check for an opinion with her office.

Mr. Smith offered that the Board and Staff are on the same page in that the Board is essential to the state and internally Staff is preparing to possibly take on functions from other agencies if necessary. Mr. Smith brought up other bills that are moving forward that may affect the Board. Mr. Johnson relayed what is happening in the legislature regarding bills moving out of committees and what may happen to the Governor's budget. Mr. Smith inquired if there was any talk about sweeping funds. Mr. Johnson has not heard anything and told of his talks with legislators on the subject. There was a short discussion on another bill that will eliminate duplication of services between state and local entities. Mr. Poulsen questioned if Mr. Lee was tracking this bill for the Board. Mr. Smith confirmed that he is.

**13) \*Discussion and possible action on the Board's position on the following Legislative bills:**

A. AB402 - Requires a state agency to enter into or participate in a contract to allow it to accept credit cards, debit cards or electronic transfers of money to the agency unless it is impracticable for the agency to do so. (BDR 31-968)

B. AB474 - Creates the Sunset Subcommittee of the Legislative Commission to review certain boards and commissions. (BDR 18-889)

Mr. Smith stated that AB 402 has been amended and is moving forward. Mr. Smith relayed that in the worst case scenario the cost to the Board would be \$10,000. Ms. Bradley was asked if the Board can charge a percentage for taking credit cards or does it have to absorb the cost. Mr. Smith questioned whether or not the NAC's would have to be changed or could the Policy and Procedures be changed in the interim.

Mr. Smith stated that AB 474 has already been discussed and he had nothing to add.

**14) \*Discussion and possible action on the purchase of a new vehicle to replace the 2003 Ford Explorer currently utilized by the Chief Inspector.**

Mr. Smith let the Board know that there is documentation of the vehicles to be discussed in their binders but wanted to point out to the Board that this is the worst time to be purchasing a new vehicle due to the production of 2011 vehicles is ending and the 2012 vehicles is already beginning and the figures that may be approved by the Board could be incorrect. Mr. Smith turned the floor over to Mr. Drake. Mr. Drake gave a brief overview of how the vehicles were chosen. There was a discussion on the choice of the vehicles being presented. The possibility of purchasing another pick-up truck was discussed and Mr. Smith pointed out that Staff would already have a truck available if necessary. Mr. Kightlinger commented on the offer of interchangeability of vehicles between Staff. It was determined by the Board that more options need to be investigated. Mr. Smith relayed to the Board why the purchase of the new vehicle is being discussed at this time versus when the CDs mature as the funds could be swept by the legislature. Mr. Kightlinger stated that the Chief Inspectors vehicle qualifies to be replaced under the Board's long term plan of vehicle depreciation and that's more of why it should be replaced at this time rather than the possibility of losing the funds.

**Motion:** Alan Kightlinger: Moved to defer this item until next month for more information to be provided by Staff.

**Second:** Orrin Johnson

**Discussion:** None

**In Favor:** Alan Kightlinger, Orrin Johnson, Steve Tognoli, Norman Yeager, Mike Eriksen and Blair Poulsen

**Opposed:** None

**15) \*Discussion and possible action on the review and possible acceptance of the 2011-12 proposed fiscal budget of the Board.**

Mr. Smith explained that PERS was increasing by 2.25% and what is included in the Board's packet is just the beginning draft of the new budget which does not include the new health insurance figures. Mr. Kightlinger explained to the Board what items were being discussed between Staff and Budget Committee including an increase for Staff to compensate for the increase in PERS contributions. That is the only significant change to the budget and the rest is just a flat rollover of last year's budget. Mr. Johnson wanted to state for the record he was concerned about employee raises at a time when the Board is trying to "keep it's head down". Mr. Smith has the same concerns as Mr. Johnson and explained what he was proposing in the budget. There was more discussion on how employees can be compensated for the increase in PERS. Mr. Kightlinger re-iterated through the Chairman that the committee needs to know what the Board wants

to see on the budget within the next 30 days so it can be voted on next month. Mr. Poulsen wants the agenda item next month to reflect that the Board will be voting on the budget. Mr. Poulsen instructed the committee to continue with how the budget is being structured and there is a possibility it may be amended when presented.

**16) \*Discussion and possible action** on the results of the Sub-Committee meeting on 03/17/2011 to assign questions to the different types of Certificate of Competency exams.

Mr. Smith reported to the Board on the software that has been secured to create the new Certificate of Competency (COC) tests. Tests will be created next week and will be taken by Staff and other members of Wells Propane to see how long they will take. The software uses the current Access database for tracking and will increase the security of the tests as different tests can be printed out each time an applicant comes into the office. Mr. Eriksen offered that Mr. Aiazzi was also a member of the committee. There was a question of whether Nevada Manufactured Housing could be disbanded. Mr. Eriksen explained that they may lose some of their authority if the bill passes that will limit or bypass the requirement that "Handymen" will need to be licensed. Mr. Poulsen wanted Mr. Eriksen to convey the Board's "thanks" to Mr. Aiazzi for serving on the COC committee.

**17) \*Discussion and possible action** on the submission of the Board's recommendations to the Governor's office for retention or replacement of the four Board members (Blair Poulsen, Alan Kightlinger, Steve Tognoli and Norman Yeager) whose terms are expiring June 30, 2011.

Mr. Poulsen wanted the record to reflect that the initials he recited are those of the four Board member's whose terms were expiring. The members were polled as to who would agree to continue when their terms expire. Mr. Kightlinger agreed to continue to serve on the Board but was concerned that he will no longer be employed in the fire service. Mr. Tognoli agreed to continue. Mr. Yeager will extend his term and Mr. Poulsen will extend his term as well. This discussion will be continued at the next meeting when Ms. Bradley will report to the Board on her findings regarding re-appointment and interim appointment.

**18) \*Discussion and possible action** on the Board and Nevada Division of Environmental Protection (Department of Conservation and Natural Resources) coordinating their respective authorities governing LP-Gas facilities.

Mr. Smith had nothing to report.

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

There is no new items.

**20) \*Discussion and possible action** on the approval of Board members' compensation, per diem and travel expenses.

<b>Motion:</b>	Orrin Johnson: <u>Moved to approve the Board members compensation and per diem.</u>
<b>Second:</b>	Alan Kightlinger
<b>Discussion:</b>	None
<b>In Favor:</b>	Alan Kightlinger, Orrin Johnson, Steve Tognoli, Norman Yeager, Mike Eriksen and Blair Poulsen
<b>Opposed:</b>	None

21) \*Adjourn.

Mr. Poulsen entertained a motion to adjourn.

Motion: Orrin Johnson: So moved.

Second: Norman Yeager

Discussion: None

In Favor: Alan Kightlinger, Orrin Johnson, Steve Tognoli, Norman Yeager, Mike Eriksen and Blair Poulsen

Opposed: None

*Meeting adjourned at 12:30 pm*



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## Board Meeting Minutes March 18, 2011

Board Member	1st	2nd	Aye	Nay	Abs	Reason
Blair Poulsen						
Orrin Johnson	X					
Mike Eriksen		X				ON telephone
Alan Kightlinger						
Steve Tognoli						on telephone
Norman Yeager						ON telephone

**NOTE:** This meeting was audio taped. The audio tapes will be maintained in the Board office for a period of one year after the meeting was adjourned.

*Due to technical difficulties the meeting did not record properly.*

Minutes recorded by: Katie Bavaro

### 1) Call to order

The meeting was called to order at 10:08 am by Blair Poulsen, Chairman.

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

Board members:

- Blair Poulsen – representing Industry
- Orrin Johnson – representing propane consumers of Nevada - *telephone*
- Mike Eriksen – representing Industry
- Alan Kightlinger – representing City Fire Service - *telephone*
- Steve Tognoli – representing Rural Fire Service - *telephone*
- Norman Yeager - representing propane consumers of Nevada - *telephone*

Staff:

- Eric Smith – Chief Inspector
- Rick Drake – Field Inspector
- Katie Bavaro – Administrative Assistant
- Colleen Hemingway - Deputy Attorney General - *telephone*

Mr. Smith introduced the Board's new DAG, Colleen Hemingway. Mr. Poulsen welcomed Ms. Hemingway to the Board.

**3) \*Discussion and possible action on the approval of the agenda.**

Mr. Poulsen entertained a motion to approve the agenda.

**Motion:** Orrin Johnson: So moved.  
**Second:** Norman Yeager  
**Discussion:** None  
**In Favor:** Mike Eriksen, Steve Tognoli, Orrin Johnson, Norman Yeager and Blair Poulsen  
**Opposed:** None

**4) \*Discussion and possible action on the approval/disapproval/changes of the minutes of the February 18, 2010 Board meeting.**

**Motion:** Mike Eriksen: Moved to approve the February 18, 2011 Board minutes.  
**Second:** Orrin Johnson  
**Discussion:** None  
**In Favor:** Mike Eriksen, Steve Tognoli, Orrin Johnson, Norman Yeager and Blair Poulsen  
**Opposed:** None

Mr. Kightlinger joined the meeting at 10:15 am

**5) \*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**

There were none.

**B) Class 2 Licenses**

Mr. Smith reported that there were four class 2B license applications and three of the applications were new installations, with all applications appearing to be in order and recommending approval.

**Motion:** Alan Kightlinger: Moved to approve agenda item 5-B sub categories #1-4 with Staff recommendation.  
**Second:** Orrin Johnson  
**Discussion:** None  
**In Favor:** Mike Eriksen, Steve Tognoli, Orrin Johnson, Norman Yeager, Alan Kightlinger and Blair Poulsen  
**Opposed:** None

1. Moawia Alazawi dba: **Wolf Fastop**; 1625 N. Virginia St., Reno, NV 89503
2. City Express, LLC dba: **City Express**; 5680 s. Pecos Rd., Las Vegas, NV 89120
3. Matheson Tri-Gas, Inc. dba: **Aeris**; 825 Marietta Way, Sparks, NV 89431
4. Funston Family Limited Partnership dba: **Funny's II**; 3550 N. Rancho Dr., Las Vegas, NV 89130

### C) Class 3 Licenses

There were none.

### D) Class 4 Licenses

Mr. Smith reported that two applications submitted are ownership changes. Mr. Kightlinger questioned the site plan for Gold Ranch Casino RV Resort. Mr. Smith explained that Staff has been in contact with Bi-State Sparks and the site plan is being updated to the new form.

Motion: Alan Kightlinger: Moved that item 5-D sub items #1 & 2 be approved based upon the application and Staff approval.

Second: Norman Yeager

Discussion: None

In Favor: Mike Eriksen, Steve Tognoli, Orrin Johnson, Norman Yeager, Alan Kightlinger and Blair Poulsen

Opposed: None

1. Nevada Treasure RV Resort, LLC dba: **Nevada Treasure RV Resort**; 301 W. Leslie St., Pahrump, NV 89060
2. Last Chance, LLC dba: **Gold Ranch Casino RV Resort**; 320 I-80 West, Verdi, NV 89439

### E) Class 5 Licenses

There were none.

#### 6) Public comments

There were none.

#### 7) Industry report and comments.

Mr. Eriksen had nothing to report.

#### 8) Reports and/or comments from the Board Members.

Mike Eriksen: Nothing to report.

Steve Tognoli: Nothing to report.

Orrin Johnson: Nothing to report.

Norman Yeager: Nothing to report but stated that after 18 months of medical testing nothing was found in his system and he would be attending the meeting next month.

Alan Kightlinger: Nothing to report.

Blair Poulsen: Nothing to report.

#### 9) Deputy Attorney General's Report.

Ms. Hemingway had nothing to report.

#### 10) Chief Inspector's Report. (General report on office, training, testing, investigations, vehicles, etc.)

Mr. Smith elaborated on his report adding that he and Mr. Drake will be at the IAAI training in Elko next month.

Mr. Smith relayed to the Board that he has done some major changes to the Board's database including updating the software to implement the new Certificate of Competency (COC) program. Mr. Kightlinger stated that the final quarter will begin in 15 days and suggested that Staff begin the research for the purchase of the Chief Inspectors new vehicle. Mr. Smith reported that the process has already been started and some vehicles have been looked at.

#### 11) Legislative Report.

Mr. Eriksen reported that the deadline to submit bills from sources other than legislative committees is Monday, March 21, 2011. Mr. Eriksen has suggested to the NPDA that there are bills that should be dropped from the association's watch list. There are still bills that will be watched by Mr. Smith and Mr. Lee. Mr. Smith commented on some bills that may affect the Board that are now before the legislature. Two of the bills pertain to new requirements of the Open Meeting Law. One will now require all the audio recordings of the Board's meetings be posted on the Board website. Mr. Smith reported that to comply with this requirement the Board would have to purchase new recording equipment, a probable cost from DOIT and he was unsure how much space this would take up on the website. The other bill involved that a "Public Comment" section be included after every action item on the Board's agenda. The affect on the Board would most likely result in more time added to the meeting. A discussion was held on whether or not the "Public Comment" should be added after each action item and Mr. Poulsen would like it added to agenda if the bill passes. Mr. Smith also mentioned a "Sunset" bill. This is not the bill the Governor spoke of but very similar. Mr. Eriksen offered that the LP-Gas Board is not worried about the "Sunset Commission" and believes that the Board will not have any problem justifying their existence.

**12) \*Discussion and possible action** on 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. Tognoli read his report and stated that a routine to check the status of the CD's online has not been established at this time. Mr. Tognoli also stated that there were no over due invoices and that all accounts are in order. Mr. Tognoli entertained any questions.

Hearing no questions Mr. Poulsen entertained a motion to approve the Oversight Committee Report.

Motion: Alan Kightlinger: Moved for that the Oversight Committee Chairman's report be approved as presented.  
Second: Mike Eriksen  
Discussion: None  
In Favor: Mike Eriksen, Steve Tognoli, Orrin Johnson, Norman Yeager, Alan Kightlinger and Blair Poulsen  
Opposed: None

Mr. Kightlinger gave an overview of the reports and stated that the Board is on track for a balanced budget. The budget is in line to purchase the Chief Inspectors new vehicle and is operating fiscally sound. Mr. Eriksen had nothing to add to the report. Mr. Smith commented that the checking account was very low because monies for approved purchases were not held out of the monies deposited for the CD's and stated that once the CD's mature there should be more money for the checking account. Mr. Kightlinger believes he made a motion to withhold monies for those approved purchases and inquired if the motion was followed. Mr. Smith stated that he did not hold back the monies. When the CD's mature those monies will be held back for the operating account.

Mr. Poulsen entertained a motion to approve the budget report.



**Motion:** Orrin Johnson: Moved to approve the budget report.  
**Second:** Steve Tognoli  
**Discussion:** None  
**In Favor:** Mike Eriksen, Steve Tognoli, Orrin Johnson, Norman Yeager, Alan Kightlinger and Blair Poulsen  
**Opposed:** None

**13) \* Discussion and possible action** on the results of the Sub-Committee meeting on 02/17/2011 to assign questions to the different types of Certificate of Competency exams.

Mr. Smith stated the committee met and discussed the COC exams and came up with the number of questions for the tests, the time it should take to complete the tests and open book vs closed book. Mr. Eriksen was in agreement that all tests should be open book and that each test will include questions on general knowledge that should be known and cannot be found in the book. The committee felt the tests would be easier and less time consuming to administer. The committee also thought that a sample test could be put on the website and the possibility for people to be tested through an outside agency was addressed. Mr. Eriksen thought that the ability for testing through an outside agency is important in the event of an emergency.

**14) \*Discussion and possible action** on the election of officers for the Board.

Mr. Smith relayed to the Board that Mr. Tognoli, Mr. Kightlinger and Mr. Yeager requested not to be re-appointed to the Board and that Mr. Poulsen, Chairman, Mr. Johnson, Vice Chairman and Mr. Eriksen, Secretary/Treasurer were going to remain on the Board.

**Motion:** Alan Kightlinger: Moved that the existing state of officers be re-elected for the 2011-12 term.  
**Second:** Steve Tognoli  
**Discussion:** Mr. Poulsen asked if any Board members wanted to withdraw or others be included.  
**In Favor:** Mike Eriksen, Steve Tognoli, Orrin Johnson, Norman Yeager, Alan Kightlinger and Blair Poulsen  
**Opposed:** None

Mr. Poulsen stated it was an honor and a pleasure to Chair the Board. Mr. Kightlinger stated that this Board will support the chairmans re-appointment.

**15) Review Consumer Complaints** that staff and industry were unable to resolve.

Staff resolved all complaints.

**16) \*Discussion of the following anonymous profiles of possible disciplinary action.** Board action will be limited to either dismissing the matter if the Board determines it has no jurisdiction over the subject or directing Staff to pursue the matter further.

There were none.

**17) \*Discussion and possible action** on the Board and Nevada Division of Environmental Protection \* (Department of Conservation and Natural Resources) coordinating their respective authorities governing LP-Gas facilities.

Mr. Smith had nothing to report. With the negative affect the changes outlined in Mr. Kightlinger's email to the Board, Mr. Poulsen wants to keep this item on the agenda.

**18) \*Discussion and possible action** on the Board's review and possible recognition of certifications for the purpose of meeting the Continuing Education Unit (CEU) and/or reciprocity requirements set forth in NAC 590.100 to 590.687.

No.	Certification Description	Applicant
1	NONE	

**19) \*Discussion and possible action** on general changes to NAC 590.100 to 590.687, inclusive. Action will be limited to forming only the concept of a proposed change and to directing staff to prepare specific language for consideration by the Board at a future meeting.

There were none.

**20) \*Discussion and possible action** on general changes to NRS 590.465 to 590.645, inclusive. Action will be limited to forming only the concept of a proposed change and to directing staff to prepare specific language for consideration by the Board at a future meeting.

There were none.

**21) \*Discussion and possible action** on general changes to the Policy & Procedure Manual. Action will be limited to forming only the concept of a proposed change and to directing staff to prepare specific language for consideration by the Board at a future meeting.

There were none.

**22) \*Discussion and possible action** on the review of proposed and/or pending statute, regulation, and policy and procedure changes to be assigned to a workshop.

There is nothing in the bin.

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

Mr. Kightlinger would like to include the the tentative proposed budget for 2011-12 and a status report on the research being done for the new vehicle for the Chief Inspector.

Mr. Smith commented to the Board that he had been discussing the agenda with Ms. Hemingway and turned the floor over to her. Ms. Hemingway voiced her concern for the public on items that are currently on the agenda but do not have specific items to be discussed and offered, only as a suggestion, that these items be taken off the agenda until the need arises and a detailed description of items is presented. Mr. Poulsen reviewed the agenda and will eliminate items #16 and #18-22. Board members were polled for opinions and Mr. Kightlinger had no disagreement as long as the items being deleted were considered each month. Mr. Smith agreed to add these reminders to his Chief Inspectors report.

**24) \*Discussion and possible action** on the approval of Board members' compensation, per diem and travel expenses.

Mr. Poulsen inquired if any of the committee members requested any extra time and entertained a motion for the approval of Board members' travel expenses.

Mr. Kightlinger deferred.

Motion: Mr. Kightlinger: Moved to approve the Board members per diem and stipend forms as submitted.  
Second: Mike Eriksen  
Discussion: None  
In Favor: Mike Eriksen, Steve Tognoli, Orrin Johnson, Norman Yeager, Alan Kightlinger and Blair Poulsen  
Opposed: None

Mr. Kightlinger requested to return to agenda item # 23. Mr. Kightlinger stated that effective in April the Board should begin recruitment and replacement of those Board members whose terms are expiring. Mr. Poulsen stated that the Board would appreciate any suggestions.

**24) \*Adjourn.**

Mr. Poulsen entertained a motion to adjourn.

Motion: Alan Kightlinger: So moved.  
Second: Norman Yeager  
Discussion: None  
In Favor: Mike Eriksen, Steve Tognoli, Orrin Johnson, Norman Yeager, Alan Kightlinger and Blair Poulsen  
Opposed: None

*Meeting adjourned at 11:18 am*



Nevada Board for the Regulation of Liquefied Petroleum Gas  
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## Board Meeting Minutes February 18, 2011

Board Member	1st	2nd	Aye	Nay	Abs	Reason
Blair Poulsen			<i>[Signature]</i>			
Orrin Johnson		X				ON TELEPHONE
Mike Eriksen	X		<i>[Signature]</i>			
Alan Kightlinger						NOT PRESENT
Steve Tognoli						ON TELEPHONE
Norman Yeager						ON TELEPHONE

**NOTE:** This meeting was audio taped. The audio tapes 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 10:08 am by Blair Poulsen, Chairman.

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

Board members:

- Blair Poulsen – representing Industry
- Orrin Johnson – representing propane consumers of Nevada - *telephone*
- Mike Eriksen – representing Industry
- Alan Kightlinger – representing City Fire Service - *telephone*
- Steve Tognoli – representing Rural Fire Service - *telephone*
- Norman Yeager - representing propane consumers of Nevada - *telephone*

Staff:

- Eric Smith – Chief Inspector
- Rick Drake – Field Inspector
- Katie Bavaro – Administrative Assistant
- Kristen Geddes - Deputy Attorney General
- Matthew Deal - Deputy Attorney General

Audience: Dave Fuson - AmeriGas  
Daniel Wagner - AmeriGas

**3) \*Discussion and possible action on the approval of the agenda.**

Mr. Poulsen entertained a motion to approve the agenda.

Motion: Alan Kightlinger: So moved.  
Second: Orrin Johnson  
Discussion: None  
In Favor: Mike Eriksen, Alan Kightlinger, Orrin Johnson, Steve Tognoli, Norman Yeager and Blair Poulsen  
Opposed: None

**4) \*Discussion and possible action on the approval/disapproval/changes of the minutes of the January 21, 2010 Board meeting.**

Mr. Poulsen wanted the record to reflect that the date for the Board meeting minutes to be approved is incorrect and should read January 21, 2011.

Motion: Orrin Johnson: Moved to approve the January 21, 2011 Board minutes.  
Second: Norman Yeager  
Discussion: None  
In Favor: Mike Eriksen, Orrin Johnson, Steve Tognoli, Norman Yeager and Blair Poulsen  
Opposed: None  
Abstained: Alan Kightlinger

**5) \*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**

There were none.

**B) Class 2 Licenses**

There were none.

**C) Class 3 Licenses**

There were none.

**D) Class 4 Licenses**

Mr. Smith reported that these applications are new installations and noted that item # 1 - Cimarron West, had previously had a dispenser that had been removed and now one was being installed in a different location. Both applications appear to be in order and Staff recommends approval. Mr. Kightlinger took exception to Mr. Smith's comment that Cimarron West' dispenser had been removed whereas the installation had only been moved and he is happy with the new dispenser location.

Motion: Alan Kightlinger: Moved that item 5-D sub items #1 & 2 be approved as submitted.

Second: Orrin Johnson  
Discussion: Mr. Eriksen questioned whether he could abstain from part of the vote. Mr. Kightlinger withdrew his motion with approval of the Second so that Mr. Eriksen could be accommodated.

Motion: Alan Kightlinger: Moved that agenda item 5-D sub category #1 be approved as submitted.  
Second: Orrin Johnson  
Discussion: None  
In Favor: Alan Kightlinger, Orrin Johnson, Steve Tognoli, Norman Yeager and Blair Poulsen  
Opposed: None  
Abstained: Mike Eriksen

Motion: Alan Kightlinger: Moved that agenda item 5-D sub category #2 be approved as submitted on Staff recommendation.  
Second: Steve Tognoli  
Discussion: None  
In Favor: Mike Eriksen, Alan Kightlinger, Orrin Johnson, Steve Tognoli, Norman Yeager and Blair Poulsen  
Opposed: None

#### **E) Class 5 Licenses**

There were none.

#### **6) Public comments**

There were none.

#### **7) Industry report and comments.**

Mr. Eriksen, as Chairman of the Legislative Committee for the Nevada Propane Dealers Association, reported that there were not a lot of bills "popping up" that the Industry needed to be concerned with at this time, however there are quite a few bills on "watch". There are a couple of pieces of legislation that could open up concerns for the industry involving motor fuel and weights and measures. Mr. Poulsen encouraged Mr. Eriksen to watch the legislation involving weights and measures and volunteered that he may want to be involved as well.

#### **8) Reports and/or comments from the Board Members.**

Mike Eriksen: Reported on a number of bills before the legislature that will impact the Board such as AB 001 involving certain reporting under Title 54 and stated that AB 21, which would move the Board's budget under the Executive Branch of the State and the Board employees would become State employees, is gone as of yesterday. Mr. Smith elaborated on that bill and stated that just because that bill was going away does not mean that other bills will be not be introduced with the same result. There was discussion on other bills that require quarterly reporting by Boards and Commissions. Mr. Smith added that he was requested to submit a fiscal note on a bill that would require verifying citizenship before a professional or occupational license can be issued. Mr. Smith did not think this bill would go very far. Mr. Eriksen also reported that SB 56, that would require the Board to utilize all of the Department of Information Technology's (DOIT) services and equipment, could be prove to be a disadvantage to the Board. Mr. Eriksen noted other bills that could possibly impact the Board. Mr. Poulsen suggested Mr. Eriksen and Mr. Smith compile a list of the bills to email to the other Board members that may want to follow them on their own.

Alan Kightlinger: Had nothing to report except that he will be seeing Staff in Elko for training in April.  
Orrin Johnson: Nothing to report.

Norman Yeager: Nothing to report.  
Steve Tognoli: Nothing to report.  
Blair Poulsen: Nothing to report.

#### 9) Deputy Attorney General's Report.

Ms. Geddes had nothing to report and introduced DAG Matthew Deal, who gave a brief history of his background and stated that he will be filling in for Ms. Geddes while she is on maternity leave.

#### 10) Chief Inspector's Report. (General report on office, training, testing, investigations, vehicles, etc.)

Mr. Smith elaborated on his report adding that he and Mr. Drake held a live fire training on Wednesday, 02-16-2011 in Fallon for the 100% volunteer staffed fire department. There were 32 students in attendance and the class went well. There was nothing new to report from the Governor's Office.

Mr. Kightlinger let the Board know that he missed the meeting last month due to the birth of his tenth grandchild.

#### 11) Legislative Report.

Mr. Eriksen had nothing more to report. Mr. Poulsen thanked Mr. Eriksen for his effort in following what was happening in the legislative session.

#### 12) \*Discussion and possible action on the Legislative report from the Board's Legislative Consultant and Staff.

Mr. Smith had no written report for the Board but relayed that he had spoken with Ms. Comis and there were several bills introduced in reference to the open meeting laws that would not have much impact if any on the Board. AB 21 is gone but there could be other bills that could be introduced to watch out for.

#### 13) \*Discussion and possible action on 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. Tognoli read his report and stated that the checking account looks good and that the Board will not receive statements for the CD's until they have matured but believes he may be able to check on the status of these CD's online and will add this to his report if able. Mr. Tognoli entertained any questions.

Mr. Poulsen entertained a motion to approve the Oversight Committee Report.

Motion: Alan Kightlinger: Moved for that the Oversight Committee Chairman's report be approved as submitted.  
Second: Mike Eriksen  
Discussion: None  
In Favor: Mike Eriksen, Alan Kightlinger, Orrin Johnson, Steve Tognoli, Norman Yeager, and Blair Poulsen  
Opposed: None

Mr. Kightlinger, before reporting on the budget, questioned the handwritten figures at the bottom of the Budget vs Actual report. Mr. Smith explained again that these figures reflect the beginning and ending fund balance that is included in the budget to make it balance but nothing ever gets applied to. Mr. Kightlinger didn't think that handwriting these figures in is necessary. Mr. Kightlinger reported that at the present time the budget is 58%

spent with 46.8% of income expended and the expenses are at 50.7%. Mr. Eriksen thanked Mr. Kightlinger for pointing out the approximate \$17,000 in accounts receivable that would offset the net income for the month of -\$13,397.63. Mr. Smith offered that the information for these reports are taken from a monthly breakdown and the months of December, January, and February are budgeted for negative cash flow and the months of March, April and May have all the Class 2B licenses being renewed which run the budget in the "black" and monies hopefully balance out. Mr. Kightlinger agreed with Mr. Smith's assessment. Mr. Kightlinger thanked Mr. Tognoli for the complete and thorough Oversight Committee Report.

**Motion:** Mike Eriksen: Moved to approve the Budget Committee's Report as reported by Chairman Kightlinger.  
**Second:** Orrin Johnson  
**Discussion:** None  
**In Favor:** Mike Eriksen, Alan Kightlinger, Orrin Johnson, Steve Tognoli, Norman Yeager, and Blair Poulsen  
**Opposed:** None

**14) Review Consumer Complaints** that staff and industry were unable to resolve.

Staff resolved all complaints.

**15) \*Discussion of the following anonymous profiles of possible disciplinary action.** Board action will be limited to either dismissing the matter if the Board determines it has no jurisdiction over the subject or directing Staff to pursue the matter further.

There were none.

**16) \*Discussion and possible action** on the Board and Nevada Division of Environmental Protection (Department of Conservation and Natural Resources) coordinating their respective authorities governing LP-Gas facilities.

Mr. Smith had nothing to report. Mr. Poulsen had heard that this agency could possibly be absorbed by another state agency. Mr. Kightlinger offered that the agency would remain under the Department of Conservation but will no longer be listed in the general fund and will be 100% federally funded. Mr. Kightlinger also offered to share an email with the other Board members explaining this action. Mr. Poulsen believes that this action could very well affect the Board negatively.

**17) \*Discussion and possible action** on the Board's review and possible recognition of certifications for the purpose of meeting the Continuing Education Unit (CEU) and/or reciprocity requirements set forth in NAC 590.100 to 590.687.

No.	Certification Description	Applicant
1	NONE	

**18) \*Discussion and possible action** on general changes to NAC 590.100 to 590.687, inclusive. Action will be limited to forming only the concept of a proposed change and to directing staff to prepare specific language for consideration by the Board at a future meeting.

There were none.

**19) \*Discussion and possible action** on general changes to NRS 590.465 to 590.645, inclusive. Action will be limited to forming only the concept of a proposed change and to directing staff to prepare specific language for consideration by the Board at a future meeting.

There were none.



20) **\*Discussion and possible action** on general changes to the Policy & Procedure Manual. Action will be limited to forming only the concept of a proposed change and to directing staff to prepare specific language for consideration by the Board at a future meeting.

There were none.

21) **\*Discussion and possible action** on the review of proposed and/or pending statute, regulation, and policy and procedure changes to be assigned to a workshop.

There is nothing in the bin.

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

Mr. Eriksen inquired if there should be action taken on the Sub-Committee regarding the certificate of competency exams. Mr. Poulsen agreed that an agenda item to reflect a report from the committee and action to be taken by the committee should be added as well as an item to elect the Board's officers. Mr. Smith reported that Mr. Kightlinger, Mr. Tognoli, Mr. Yeager and Mr. Poulsen's terms will be expiring at the end of June and that two members expressed that they would not be returning. Mr. Smith requested any suggestions for replacements should be forwarded to him and he will forward them to the Governor's Office. Mr. Kightlinger suggested John Gillenwater for his replacement. Mr. Tognoli wanted to know if Mr. Kightlinger had any suggestions or knew of any volunteers who may be interested. Mr. Kightlinger will let Mr. Tognoli know.

23) **\*Discussion and possible action** on the approval of Board members' compensation, per diem and travel expenses.

Mr. Poulsen inquired if any of the committee members requested any extra time and entertained a motion for the approval of Board members' travel expenses.

Mr. Kightlinger deferred.

**Motion:** Mike Eriksen: Moved to approve the Board members compensation, per diem and travel expenses as submitted.  
**Second:** Orrin Johnson  
**Discussion:** None  
**In Favor:** Mike Eriksen, Alan Kightlinger, Orrin Johnson, Steve Tognoli, Norman Yeager and Blair Poulsen  
**Opposed:** None

24) **\*Adjourn.**

Mr. Poulsen entertained a motion to adjourn.

**Motion:** Mike Eriksen: Moved to adjourn.  
**Second:** Orrin Johnson  
**Discussion:** None  
**In Favor:** Mike Eriksen, Alan Kightlinger, Orrin Johnson, Steve Tognoli, Norman Yeager and Blair Poulsen  
**Opposed:** None

*Meeting adjourned at 11:03 am*

## THE LP-GAS BOARD AND YOUR RIGHTS...

The LP-Gas Board is comprised of 6 members appointed by the Governor to oversee the LP-Gas industry in Nevada. The Board is responsible for adopting regulations as are reasonably necessary for the health, welfare and safety of the public and persons using LP-Gases in the state.

As a user of LP-Gas (propane) in Nevada, you have certain rights available to you. The Board wants to ensure that you know about these rights and what options are available in the event a question or problem arises. This brochure was put together in the interest of consumer awareness.

## AS AN LP-GAS CUSTOMER, YOU HAVE THE RIGHT TO...

- Change dealers if you are dissatisfied with either the price your dealer is charging or the service you are receiving.
- Obtain the current posted price for propane and any additional charges that may apply to its delivery. The price must be provided to you over the telephone and also must be printed on a standard form and displayed in the propane dealer's office.
- Know at the beginning of the business day that a price change will take effect. Although a dealer is not required to advise all customers about a pending rate change, he is required to disclose it to those customers who ask.
- Be informed that the price of propane may vary depending upon the date and circumstances surrounding delivery. Non-scheduled or irregular deliveries may cost more and users are entitled to know a dealer's pricing structure.
- Be told by your dealer how the price for a unit of propane can be converted, for comparative purposes, to gallons, cubic feet or therms.
- Know the annual tank rental fee if you are renting a tank from your dealer.
- Use your own tank and regulators if suitable for continued service.
- Be notified 48 hours prior to disconnection of service.
- Verify the person or company working on your LP-Gas equipment is licensed by the LP-Gas Board.

## IF YOU CHANGE DEALERS, YOU HAVE THE RIGHT TO...

- Have the dealer's rented tank removed from your property within 30 days, at no charge, after you have notified the dealer in writing (a recommended form for this notification is available from the Boards web site or by contacting the Board staff).
- Be present when the dealer measures the remaining volume in their tank that is being removed.
- Be given a date and approximate time for the removal of the tank.
- Receive a refund for any unused propane and tank rental. This refund will be based upon the price you paid and must be mailed to you within 15 days after the tank is removed.
- Know the charges for a new service with a new dealer.

## IF YOU HAVE A COMPLAINT, YOU HAVE THE RIGHT TO...

The Liquefied Petroleum Gas Board regulates the licensing of dealers as well as enforcing safety regulations on LP-Gas systems under their jurisdiction. **The LP-Gas Board does NOT regulate pricing.** If you are dissatisfied with the price your dealer is charging, you have the right to change dealers.

1. Complaints or questions should first be brought to the attention of your dealer.
2. If you are not satisfied with your dealer's response and you wish to pursue a complaint, contact the Board staff to lodge a Consumer Complaint. The Board staff will mediate your complaint if the Board has jurisdiction.
3. If mediation fails to resolve your complaint you may lodge an Informal Complaint against your dealer. Contact the Board staff for assistance.
4. If the Informal Complaint fails to resolve your complaint the legal counsel for the Board may file a Formal Complaint and Notice of Hearing against the dealer.

## IT IS RECOMMENDED THAT CUSTOMERS IN SEARCH OF AN LP-GAS DEALER ASK THE FOLLOWING...

Because rates and policies differ between dealers, first time customers or customers considering moving to a new dealer, should be informed enough to ask a few key questions.

- Is there a written description of services that will be provided?
- Is there a charge to install the tank and/or related equipment necessary to establish service?
- What is the most economical method of purchasing propane?
- Do you have to call when you need gas or will they schedule your deliveries?
- How often and on what days will you receive a delivery?
- How much will it cost to receive a delivery outside of your normal schedule?
- Is the price based on your annual usage, the area you live in, the quantity per delivery or other criteria?
- How long after the delivery do you have to pay your bill?
- Is there a penalty for a late payment?
- What if you need fuel in the winter, but you still have an outstanding bill?
- Does the dealer offer any discounts that apply to you?
- Does the dealer offer an equal payment plan?
- Does the dealer install and/or service LP-Gas appliances?

Be sure to address any other concerns you may have that are not listed above.

## ENERGY ASSISTANCE...

The following agencies have programs available to assist low-income households with their energy bills. For more information please contact them directly.

- Federal Low-Income Home Energy Assistance Program (LIHEAP). (866) 674-6327
- The Nevada Energy Connection. (866) 846-2009

## SAFETY RECOMMENDATIONS...

- When handled properly, LP-Gas is a safe and efficient fuel source.
- Ask your dealer what procedures they have in place to ensure the safety and integrity of the system which serves you.
- Follow all manufacturers instructions for the proper use and care of your LP-Gas appliances
- NEVER attempt to repair or alter an LP-Gas appliance. Contact a licensed service representative for assistance.
- Keep areas around LP-Gas appliances clean and clear of combustibles.
- You, as a customer, are required to maintain clear access to your LP-Gas tank at all times.
- An odor has been added to your LP-Gas so you can detect if your system develops a leak. **Learn what LP-Gas smells like.** Your dealer has scratch-and-sniff pamphlets to help your family recognize its distinctive odor.
- If you are unable to detect the smell of LP-Gas for any reason, consider installing an electronic gas detector in your home.
- **Learn how to turn off your gas supply.** Some gas valves require the use of a wrench to operate them. Ask your dealer for assistance if you do not know how to turn off your gas supply.

## RECOMMENDATIONS FOR OWNERS OR USERS OF UNDERGROUND LP-GAS TANKS...

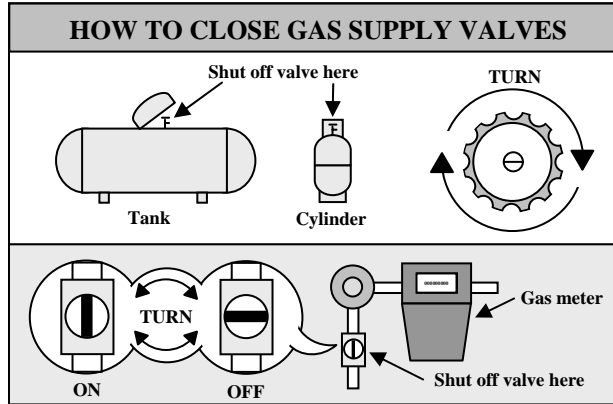
If you own or use an underground (UG) LP-Gas tank, special precautions should be followed to ensure its continued serviceability.

- Your UG tank should be cathodically protected to minimize corrosion.
- Have your UG tanks cathodic protection system inspected by a licensed dealer annually.
- If you find the UG tank dome completely submerged in water turn off the tank supply valve and notify your dealer.
- Do not plant trees or shrubs within 10 ft. of your UG tank.

## WHAT TO DO IF YOU SMELL GAS...

1. Exit the building, without operating any electrical switches or lighting any matches or smoking materials.
2. Turn off the gas at the tank, cylinder or meter valve.
3. Notify your dealer from a neighbor's phone.
4. Do not re-enter the building until your dealer tells you it is safe to do so.

**Your dealer is required to respond to your request for assistance in an emergency.**



*Consumer Bill of Rights Provided By:*



## Nevada Board for the Regulation of Liquefied Petroleum Gas

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*Fourth Edition – December 2004*



## Consumer Bill of Rights

of the

## Nevada Board for the Regulation of Liquefied Petroleum Gas (LP-Gas Board)



*Revised December 2004*



# BPN

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# Safety First





## NEVADA TRAINING

### NEVADA

Perhaps the latest effort to provide hands-on training to accompany the Propane Emergencies curriculum is an industry-funded project in Nevada. Thanks to a \$10,000 grant provided by the Nevada Propane Dealers Association, the state was able to construct a portable live-burn simulator.

The unit was field-tested in late September by Eric Smith, chief inspec-

tor of the Nevada LP Gas Board. Smith said the Nevada State Fire Marshal's Office, a partner in the endeavor, is providing a trailer to haul it to locations around the state. The simulator features a 400-gal. tank and is fueled by a bobtail.

"Initial efforts will be aimed at train-the-trainer sessions using the mobile prop," noted Smith, who will conduct the classes. At press time, three sessions had been planned.



### TEXAS

Texas' emergency training, conducted under the auspices of the Railroad Commission (RRC), is headed by Tom Petru, RRC's director of propane training. The program runs year-round. From March 5 of last year through Sept. 28, 1128 students from 154 fire departments had received training through the program.

Petru said the portable equipment used for the training—ASME and DOT cutaway tanks, a composite tank, a ruptured tank from an incident, and a bulkhead—is towed to sites around the state to fulfill requests for the instruction made by marketers. The sponsoring marketer provides a bobtail for the three- to four-hour class and invites neighboring fire departments to attend.

Field representatives from the RRC's Alternative Fuels Research & Education Division also take part.

Petru takes along a clear, Lucite cylinder training tool with tubes in the side. The cylinder allows students to view propane boiling inside, and liquid is released so they can see how product disperses during the properties and characteristics portion of the training. "We encourage the students to visit the sponsoring marketer's bulk plant in order to become familiar with his operation," Petru said. "We tell the good story about propane while cautioning about the dangers."

Placarding on the bobtail is reviewed, as are bobtail dispensing operations, meters, and valves. All the emergency shut-down functions are

demonstrated, and class participants are cautioned never to approach a bobtail from the relief valve side.

"We have trained some departments from Mexico," Petru added. "These classes are held in Brownsville on the southernmost tip of Texas," across the border from Matamoros. A translator is provided, and students are issued headphones in order to hear presentations in Spanish.

In addition to firefighters, the Texas program also trains propane company employees and fire department inspectors. "We go anywhere, to any small town, to provide this training," Petru noted. "I've put 17,000 miles on my truck since May. We don't require a minimum number of participants, but I've yet to see a small turnout."



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## PROPANE EXPLOSIONS: Official sees truck as source

## What caused fire that led to blasts remains unclear

By HENRY BREAN  
REVIEW-JOURNAL



Hundreds of charred propane tanks await removal from one of two North Las Vegas fuel yards that burned after a series of explosions Friday night.

Photo by [Samantha Clemens](#).



**Eric Smith**  
Chief inspector for state  
board helped fight fire Friday  
in North Las Vegas

A giant explosion that lit up the sky Friday night most likely came from a 3,000-gallon tank on a propane-delivery truck, said a state regulator who helped battle the blaze in North Las Vegas.

Eric Smith is chief inspector for the Nevada Board for the Regulation of Liquefied Petroleum Gas, a state panel that oversees the propane industry. He and field inspector Rick Drake, the board's only other staff member, were dispatched to the scene Saturday morning from their office in Carson City.

Smith said they brought their fire-protection suits with them on the plane. They were the first people allowed near the largest of the burning propane tanks, a 30,000-gallon cylinder the size of a school bus that was jetting flames in two places.

Smith said he fashioned a gasket out of a rubber doorstop a firefighter gave him, and he used it to seal off a flaming leak around the tank's pressure gauge.

He said the tank's safety valves performed as designed, relieving the pressure inside and preventing an explosion 10 times larger than the one seen across the valley Friday.

The North Las Vegas Fire Department continued its investigation of the incident Monday, but what was unclear.

It began at Proflame's propane storage lot and filling station, near Craig and Pecos roads.

"We don't believe it was intentionally set by any means," said Cedric Williams, spokesman for the North Las Vegas Fire Department. "It's going to probably take a while as far as the investigation is concerned."

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Smith said the Proflame worker who was present when the fire started has told investigators he did not know the cause.

The man reportedly was using the hose from a 3,000-gallon tanker truck to fill an 8-gallon fuel tank for a forklift when a flash of flames singed his hair and left him with minor burns on his head and arms. He fled as the fire began to engulf the truck.

No one else was injured by the blaze, which spread to a neighboring fuel yard operated by AmeriGas Propane. There, the fire raged through hundreds of 20-pound fuel bottles and several vehicles, including three tanker trucks.

A series of explosions hurled metal fragments hundreds of feet from the site. A chunk of twisted metal the size of a large duffel bag was caught in the boughs of a scorched pine tree on the Proflame lot.

"We did see some debris two blocks away," Smith said.

One of AmeriGas' trucks exploded in a massive fireball that flayed open its tank and reduced its tires to a skeleton of steel belts.

No official damage estimates have been released, but "we do know it's definitely in the millions" of dollars, Williams said.

At AmeriGas alone, the tally is expected to top \$2 million.

"We bore the brunt of it," said Gary Browne, regional market manager for AmeriGas. "Everything came this way."

Browne, who lives in Reno, said he found out about the fire the way many did: video of a giant fireball on the 11 p.m. TV newscasts.

The minute he saw it, he said he knew he had to pack a bag and fly to Las Vegas.

Ashley Furniture Homestore managers Bill Bedore and Don Gibelyou saw the explosion on television, but police roadblocks kept them from surveying the damage at their warehouse across the street from burning fuel lots.

"We had 24 hours of not knowing if the building was up, down or what," Gibelyou said.

When they were escorted into the area by firefighters Saturday night, they found the 16,000-square-foot warehouse ankle-deep in water. The fire sprinklers had been running nonstop since the night before, when an explosion blew open the building's rolled-metal doors and sparked a small blaze inside.

Bedore said the discount warehouse held about 6,000 pieces of furniture, and nearly all of it was damaged or destroyed by the water. He pegged the damage at about \$750,000 and said the business was likely to relocate.

Calply, a building supply company just north of the AmeriGas lot, suffered damage to its doors and several vehicles, said Ray Jansma, general manager.

Insurance adjustors did not have an estimated cost of the damage Monday,

Jansma said. Business was "100 percent back to normal," he said.

AmeriGas and Proflame are operating again, thanks to trucks brought in over the weekend from Pahrump and elsewhere.

Browne said the fire caused no more than "a little hiccup" in service, with deliveries arriving a few hours later than usual Monday.

Smith said he cannot recall any safety violations or inspection problems at Proflame's North Las Vegas facility during his four years with the state.

It and the AmeriGas facility next door meet regulations governing their location and operation, he said.

Under federal and state code, a 30,000-gallon propane tank must be placed at least 50 feet from the nearest "important structure," Smith said.

That might not seem like much of a distance, but it has "worked for a number of years," he said.

Smith said he does not think the fire posed a serious threat to the nearest homes, less than 600 feet away.

"The distances they have there (between propane tanks and homes), I'm very comfortable with that," he said.

The fuel facilities are on property that long has been zoned for heavy industrial use, a category reserved for operations with "highest probability of creating a nuisance," said Jory Stewart, planning and zoning director for North Las Vegas.

The valley is home to three other commercial propane facilities, all of them within a few blocks of the two operations that burned Friday.

Smith said the largest propane tanks he knows of in Las Vegas are the twin 60,000-gallon tanks that Nevada Yellow Cab Co. uses to fill its propane-powered taxis.

Located at the company's facility in the southwest part of the valley, near Decatur Boulevard and the Las Vegas Beltway, the tanks are equipped with a safety system that deluges them with water in a fire, Smith said.

Review-Journal writer Lawrence Mower contributed to this report.

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