
AGENCY RESPONSE

Department of Fire Prevention and Electrical Safety



*Department Of Fire Prevention & Electrical
Safety*

DAVE FREUDENTHAL
GOVERNOR

LANNY APPLGATE
STATE FIRE MARSHAL

Memorandum

To: The Honorable John Schiffer, Chairman
Management Audit Committee

From: Lanny Applegate, Director

Date: December 2, 2008

Re: Agency Response to LSO Report, "Department of Fire Prevention and Electrical Safety"

INTRODUCTION

We appreciate the opportunity to meet with Legislative Service Office staff. We would also like to make note the Legislative Service Office staff was very professional at all times. Upon our first meeting with Legislative Service Office staff to explain what the process was with an audit, the Department of Fire Prevention and Electrical Safety's attitude was to look at this as an opportunity to identify areas we can improve on.

After careful review of the audit report, we recognize the areas needing improvement and look forward to working with Management Council so we can continue to provide quality service to the residents of the great State of Wyoming.

The Department of Fire Prevention and Electrical Safety recognizes and understands the purpose of the audit was to evaluate and determine efficiency in certain areas of the Department. We certainly compliment the hard work of the LSO staff to prepare this report. The report will serve as a tremendous tool to assist our agency to correct deficiencies identified within the report. While not specifically identified in this report, we would ask the Management Audit Committee to recognize the work completed by our staff within the Department of Fire Prevention and Electrical Safety, which includes four divisions; Fire Prevention, Electrical Safety, Training and Administration.

RESPONSES:

RECOMMENDATION 1:

DFPES should ensure the new data system provides guidance to managers and inspectors.

RESPONSE:

Department of Fire Prevention and Electrical Safety Agrees

The Department of Fire Prevention and Electrical Safety strongly agrees, in 2006 the legislature approved funding for a business case that would develop a program to provide comprehensive and reliable data for both fire and electrical divisions. The projected completion date for this project is 2009.

RECOMMENDATION 2:

The Electrical Safety Division should develop policies to guide staff practices.

RESPONSE:

Department of Fire Prevention and Electrical Safety Agrees

The Electrical Safety Division has verbal policies in place at this time. We are in the process of converting to written policies to guide staff practices.

RECOMMENDATION 3:

The Council should initiate a process to define minimum qualifications it believes local inspectors need to ensure public safety.

RESPONSE:

Department of Fire Prevention and Electrical Safety Disagrees

The Department of Fire Prevention and Electrical Safety Administration understands our statutory authority as it relates to local jurisdiction. We also believe the recent Attorney General's opinion confirms that understanding. If there is an issue at hand, the remedy is not through the Department of Fire Prevention and Electrical Safety, but through local jurisdiction and legislative process.

RECOMMENDATION 4:

DFPES should request that the Legislature revise unclear statutory provisions.

RESPONSE:

Department of Fire Prevention and Electrical Safety Agrees

Present Administration has also identified potential conflicts of interest with the Board being the decision maker and also the Appeals Board. We would encourage the Board and Council to adopt policies and procedures for the Department of Fire Prevention and Electrical Safety to follow; this would then allow them to act as an Appeal Board or Council without direct conflict.

RECOMMENDATION 5:

DFPES should assist the Board and Council in developing written policies and procedures, and provide member orientation and training.

RESPONSE:

Department of Fire Prevention and Electrical Safety Partially Agrees

We believe the Department of Fire Prevention and Electrical Safety has neither the staff personnel in house or contacts to make orientation and training available for new Board and Council members. We also believe it is important to have a refresher for long term Board and Council members every two to three years. We agree the Board and Council do not have the staff available to write policies and procedures. The Department of Fire Prevention and Electrical Safety would be willing to assist them in writing the policies, but will have to be very cognizant on how much input we give, so that we do not influence them. The Department of Fire Prevention and Electrical Safety feels the Board and Council has policies and procedures in place through the rules they have adopted. As of this writing, the Attorney General's Office has provided Board and Council training on how to conduct a meeting in an appeals process.