

UTAH STATE FIRE PREVENTION BOARD
July 12, 2016 MEETING MINUTES – PENDING BOARD APPROVAL

BOARD MEMBERS PRESENT

Vincent A. Newberg	Board Chair
Craig Humphreys	Board Vice Chair
Brian Cottam	Board Member
Rod Hammer	Board Member
Stephen Higgs	Board Member
Eric Miller	Board Member
David Olsen	Board Member
Frank Park	Board Member
Mike Phillips	Board Member
Jason Poulsen	Board Member

BOARD MEMBERS NOT PRESENT

Jared Larson	Board Member
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STAFF PRESENT

Coy Porter	State Fire Marshal
Ted Black	Chief Deputy Fire Marshal
Monica Todd	Board Secretary
Kevin Bolander	Asst. Attorney General
Mark Burton	State Fire Marshal Office
Oliver Moore	State Fire Marshal Office
Deanne Mousley	State Fire Marshal Office
Mat Sacco	State Fire Marshal Office
Kelly Snow	State Fire Marshal Office
Bryan Thatcher	State Fire Marshal Office

PRESENT

Many members of the public and the fire service were in attendance at this meeting. The attendance log is kept with the full record of the meeting, recording and all other related paperwork.

Item #1 on the agenda, Board meeting called to order by Board Chair Vincent Newberg. The meeting started at 8:30 A.M., at the South Salt Lake City Hall, Council Chambers.

Item #2 on the agenda was approval of the May 10, 2016 Board meeting minutes. Motion made to approve minutes as written by Board Member Miller, seconded by Board Member Higgs, motion passed unanimously.

Item #3 on the agenda was a report to the Board by Chief Scott Spencer, Chair, Utah Fire Service Certification Council. Chief Spencer did not attend the meeting Lori Houes spoke on his behalf. She stated that at their last meeting in May they approved new standards for the technical rescue regarding water and ice rescue. They also went through the reaccreditation visit in June and stated that the three individuals were impressed by their program and would be recommending full reaccreditation in September.

Item #4 on the agenda was a report to the Board by Ryan Peterson, Chair, Hazardous Materials Advisory Council. Chief Deputy Black spoke on Mr. Peterson's behalf. He stated that they are meeting regularly and things are going well.

Item #5 on the agenda was a report to the Board by Gary Hodson, Chair, Fire Service Standards and Training Council. He stated that the Council would like to recommend to the Board a \$52,000 ongoing budgetary increase to fund the 2017-2018 cost of living increase for the Academy. Chairman Newberg stated that they had a subcommittee meeting on that budget and asked other members of that subcommittee to weigh in on that issue. Chief Deputy Black recommended waiting on deciding that issue until Hugh Connor makes that presentation in item #12. The discussion was tabled.

Item #6 on the agenda was approval of the Utah Fire and Rescue Academy Strategic and Operations plan. Board member Higgs made a motion to approve the plan as submitted. Motion was seconded by Board member Olsen. Motion carried unanimously.

Item #7 on the agenda was appointment by the Board of LT. Col. Craig Bello with the 85th CST, to the Hazardous Materials Advisory Council, representing the National Guard. Chief Deputy Black addressed the Board and stated that this has been a difficult position to fill as the National Guard has many other duties to fulfill. He stated that Lt. Bello would be a good appointment by the Board. Motion made by Board member Higgs to appoint LT. Col. Craig Bello with the 85th CST to the Hazardous Materials Advisory Council, motion seconded by Board member Phillips. Motion carried unanimously.

Item #8: There was no #8 as the agenda was numbered incorrectly.

Item #9 on the agenda was a report to the Board by Chief Deputy Ted Black concerning the status of the R710 rules. Chief Deputy Black stated that most of the rule re-write has been submitted. Kim Gibb, the legislative liaison from DPS HQ has also reviewed the rules for form and content to make sure they are correct. The process is moving in a favorable direction and will hopefully be approved and posted within the next two months.

Item #10 on the agenda was consideration by the Board of the adoption of R710-14, Cleaning and Inspecting Kitchen Exhaust Systems. No action is required on this item. If the Board chooses to move forward with this rule it will be placed on the September agenda for consideration and action. Chief Deputy Black stated that they would like the Board's approval to proceed with this process of adopting a new rule. Board member Poulsen made a motion to approve proceeding with the process of adopting this new rule. Motion was seconded by Board Member Humphreys, motion carried unanimously.

Item #11 on the agenda was a report to the Board by Utah State Fire Marshal, Coy Porter,

concerning unexpected revenue reductions to the restricted account. State Fire Marshal Porter stated per statute, the monies that are in the restricted account comes from premiums that are levied on fire and life insurance that is underwritten by insurance companies in the state of Utah. Half of that money goes to retirement on behalf of firefighters, 25% goes into the firefighters support account and the other 25% goes to the general fund. A new software program was rolled out in December and it was discovered that due to a reporting error on the part of the insurance companies, they had been putting all of the premium listings under a single item rather than breaking it down into "Fire including allied lines" and "Other than fire including allied lines". They had been listing the entire amount under "Fire including allied lines" only. Thus in speaking to the Tax Commission and Finance, they think that they overpaid into the Fire Premium, so in order to balance their budget they "redistributed" that money back into the general fund. So since July 1, 2015 to July 1, 2016, the restricted account has been reduced by \$2,504,351.65. It's still unknown at this point who took the money out of the account. This reduction will greatly impact the planned purchase of the land for the new Fire and Rescue Academy. He stated that he is working to correct this with Finance, with the Chair of the Tax Commission former senator John Valentine, and the retirement office. They also contacted Senator Kurt Bramble, who is the Co-Chair for the Business and Labor Committee, and he is opening an insurance bill file to take some corrective action. They plan to meet as an interim committee over the next few months and if all moves forward they will get a bill in January and if it passes we will get the money back next July. We don't know yet if there will be any further "adjustments" to the account. Board member Poulsen stated that hopefully this is not the new "norm" with this budget and it's important to get that money back for the sake of UFRA and the whole fire service.

Item #12 on the agenda was presentation to the Board by Hugh Connor, Director, Utah Fire and Rescue Academy, of UFRA 2017-2018 Budget proposal. This budget will be voted on in the September meeting. Mr. Connor addressed the Board and stated that the Budgetary Subcommittee met June 16th to address the budgetary issues facing UFRA. During the meeting, State Fire Marshal Porter reviewed the new issue with the restricted account as mentioned in Item #11. They initially proposed a \$327,000 increase to the ongoing budget to cover increased costs and cost of living increases and a \$427,000 one-time supplemental increase to replace equipment. However, in light of the current situation with the restricted account they are now only asking for the \$52,000 increase to the on-going budget to cover the cost of living adjustment. Board Member Hammer asked if under the current budget there would be a cessation of deliveries in the coming spring as they had this year. Mr. Connor replied in the affirmative. Board Member Hammer is concerned that under the current budget, classes that are being requested aren't being met as they lack the funds to do so and he feels it is necessary to increase the budget more in order to meet the needs of the fire service. Board Member Phillips asked if it would be possible to approve the current budget then after the legislative session would it be possible to go back and add additional money so that all of the requested classes could be delivered. State Fire Marshal Porter stated that, no, only the money that is approved legislatively could be granted for the following budget year. And, he stated, UFRA is already getting \$380,000 more this current budget year which started 11 days ago, than they did the previous year. Board Member Hammer asked if that \$380,000 increase will help delivery of the requested classes. Mr. Connor stated that yes, it will help deliver more courses. Board member Poulsen said he appreciated the fact that Mr. Connor and his staff were receptive to cutting back on the budgetary increase request to just the COLA increase due to the unforeseen cut to the

restricted account and to remain fiscally responsible. He also feels that Item #14 on the agenda may also help give some more ability for Mr. Connor to distribute the UFRA funding as needed. This issue will be voted on in the September Board meeting.

Item #13 on the agenda was a review by the Board of the 3.1 million dollars that has been approved by the Board, and intent language has been adopted by the State Legislature, to purchase property in the Vineyard area as the new location for the Utah Fire and Rescue Academy. State Fire Marshal Porter stated that he met with the State Forester and Directors/Deans from UVU to move forward. There are still some issues with the property that have not been resolved. Thus with the loss of revenue in the budget, right now we are in a “holding pattern” as far as moving forward with the purchase of the property until the money is restored. Marshal Porter asked if Chief Dale from Salt Lake City Fire Dept. could address the Board briefly to present a request. Chief Dale stated that the 9 Fire Departments in Salt Lake County have been making a concerted effort to unite and work/train together, through the Valley Training Alliance. They are often now using their front-line ops for training and they are having problems with their scheduling and they need logistical support. They would like to get three trailers. First needed is a roof-ops trailer with an initial cost of \$55,000 and ongoing cost of \$10,000. The other two trailers would be HRT and Haz-Mat. They feel that in getting these trailers they would have the ability to train in-house and not have to use UFRA’s services and thus not impose more training costs for UFRA. Board Member Poulsen asked if this request has gone through the Standards and Training Council, because he thinks this issue needs to go through them first. Gary Hodson replied that he and the Council had not seen this request. After much discussion, Board member Cottam made the motion that this issue needed to go through the Standards and Training Council and that the Board could then decide the issue based on their recommendation. Board member Miller seconded this motion, motion carried.

Item #14 on the agenda was Consideration by the Board to give the director of the Utah Fire and Rescue Academy discretion in the expenditure of training funds that have been specifically earmarked for training in the Emergency Driving Simulator. Board Member Poulsen stated that this issue came up during the budgetary subcommittee meeting with UFRA. He feels the director of UFRA should be able to shift funding to cover costs appropriately when there is excess money in one area and not enough in another. Chairman Newberg agreed. Board Member Cottam asked how exactly the money had been ‘earmarked’. Chief Deputy Black stated that he didn’t think that the Board intended to limit UFRA’s ability to move the money around as needed, but that the way that the motion was made it earmarked that money for the operating costs of the EDS trailer. Board Member Humphreys stated that this was money for operating the prop, not purchasing equipment. Chief Deputy Black concurred. Board member Hammer made a motion to give the director of the Utah Fire and Rescue Academy discretion in the expenditure of training funds that have been specifically ear-marked for training in the Emergency Driving Simulator. The motion was seconded by Board member Park. Board member Cottam asked if there was anyone that felt this should not be done. There were no objections. Motion carried unanimously.

Item #15 on the agenda was for the Board’s information: A report by Fire Marshal Coy Porter, on retirements, and new and pending open positions at the office of the Utah State Fire Marshal. State Fire Marshal Porter stated that three positions have been vacant, two of which have been filled by Andrew McCormick, Public Education Specialist, and Wade Francis, Haz-Mat trainer.

The third vacant position due to Mike Riley's retirement is for the Haz-Mat section manager. Kim Passey's position will soon be vacant as he is retiring, which will open up a fire investigator position.

Item #16 on the agenda was Old Business. There was no old business.

Item #17 on the agenda was New Business.

- The Fire Prevention Board is scheduled to give the yearly report to the Utah State Legislature Interim Business and Labor Committee is scheduled for September 21, 2016.

Item #18 on the agenda was that the next Board Meeting will be September 13, 2016, beginning 8:30 A.M., South Salt Lake City Hall, Council Chambers, 220 East Morris Avenue (2430 South), South Salt Lake City, Utah 84115. Motion to adjourn made by Board Chair Poulsen, motion seconded by Board Member Phillips, motion carried and the meeting was adjourned.