

**UTAH STATE FIRE PREVENTION BOARD  
JANUARY 13, 2015 MEETING MINUTES  
APPROVED**

**BOARD MEMBERS PRESENT**

Vincent A. Newberg	Board Chair
Craig Humphreys	Board Vice Chair
Brian Cottam	Board Member
Jared Larson	Board Member
Eric Miller	Board Member
Mike Phillips	Board Member
Jason Poulsen	Board Member
Attorney Kevin Bolander	Assistant Attorney General

**BOARD MEMBERS NOT PRESENT**

Rick Bailey	Board Member
Pete Hackford	Board Member
Scott Spencer	Board Member

**STAFF PRESENT**

Coy Porter	State Fire Marshal
Ted Black	Chief Deputy State Fire Marshal
Mark Burton	State Fire Marshal Office
Richard Gee	State Fire Marshal Office
Monica Todd	State Fire Marshal – Board Secretary
Oliver Moore	State Fire Marshal Office
Deanne Mousley	State Fire Marshal Office
Mike Riley	State Fire Marshal Office
Mat Sacco	State Fire Marshal Office
Kelly Snow	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 the approval of the November 12, 2014 Fire Prevention Board meeting minutes. Motion was made by Board Member Eric Miller to approve the minutes as written, motion seconded by Board Member Jason Poulsen, motion carried unanimously.

**Item #3** on the agenda was a report to the Board by Fire Marshal Phil Roberts, Chair, Fire Service Standards and Training Council, recommending the approval of the re-accreditation of the RCA program at West Valley Fire Academy as an accredited, non-affiliated training organizations. Marshal Roberts addressed the Board and stated that West Valley Fire Academy has now completed the necessary requirements and he is recommending the approval of the re-accreditation of the RCA program at West Valley Fire Academy as an accredited, non-affiliated training organizations. Motion was made by Board Member Humphreys to approve this recommendation, seconded by Board Member Miller, motion carried unanimously.

**Item #4** on the agenda was a report to the Board by Chief Scott Spencer, Chair, Utah Fire Service Certification Council. This report was made by Chief Deputy Ted Black in Chief Spencer's absence. He stated that the Certification Council is currently working in conjunction with the Standards and Training Council and the Hazardous Materials Advisory Council on items relevant to Hazardous Materials and other certifications.

**Item #5** on the agenda was a report to the Board by Ryan Perkins, Chair, Hazardous Materials Advisory Council. In his absence, Chief Deputy Black also made this report. He stated that there has been a request that they review commands related to hazardous materials incidents and that they will report back to the Board once the review is complete.

**Item #6** on the agenda was a report to the Board by Utah State Fire Marshal Coy Porter on the progress of appointing new members to the Fire Prevention Board. State Fire Marshal Porter stated that the only current vacancy is the seat for Public Member at Large. There is one individual that contacted the Governor directly regarding the position, however protocol is going to be followed and the required three names must be submitted. Hopefully the position will be filled by the next Board meeting.

**Item #7** on the agenda was appointment by the Board of Karl Lieb, Deputy Chief, Salt Lake City Fire Department, to the Fire Service Standards and Training Council, representing the Utah Fire Chiefs Association. State Fire Marshal Porter addressed the Board and asked the Board for their approval of this appointment as Deputy Chief Lieb was the choice recommended by the State Chiefs to represent their organization on the Council. Then Deputy Chief Lieb addressed the Board and stated that he appreciated the recommendation and looks forward to representing the State Chiefs on the Council. Motion made by Board Member Poulsen to appoint Deputy Chief Lieb to the Fire Service Standards and Training Council, motion seconded by Board Member Phillips, motion carried unanimously.

**Item #8** on the agenda was recommendation to the Board by Board Vice Chair, Craig Humphreys, to hold the next Board meeting at the Utah Fire and Rescue Academy (UFRA). UFRA will conduct a tour of their facility to the Board and other interested parties after the meeting. Motion made by Board Member Humphreys to approve this change of venue for the next Board meeting, motion seconded by Board Member Larson. Board Chair Newberg stated that he felt it would be very beneficial to the Board to see the activities and facilities at UFRA. Motion carried unanimously. It was requested by Board Chair Newberg that directions to the alternate meeting place be included with the agenda for the next meeting.

**Item #9** on the agenda was a Legislative update by State Fire Marshal, Coy D, Porter. State Fire Marshal Porter addressed the Board and brought to the Board's attention that Board Member Phillips, since being appointed to the Board, has been promoted as the new Chief of Cedar City Fire Department. Marshal Porter stated that he had picked out eight of the most relevant fire related issues currently going through the Legislature to update the Board. The remaining items nine through twenty had mostly to do with retirement issues.

1. SB 22 – Fire Code Amendments – Sen. Bramble – CO detector bill (technical change citing the correct NFPA reference change over from residential to commercial detectors) He feels that this item should move through the legislature fairly quickly and be approved.
2. HB 29 – LP Gas Board Amendments – Rep. Dunnigan – board nominations bill (technical change, use of email rather than “Registered” or Certified” mail through the U.S. postal service for industry representative). He feels that this item will also be approved fairly quickly.
3. SB 56 – Wildland Fire Policy Amendments – Sen. Vickers – deals with policy, not funding (funding will be dealt with next year). Board Member and State Forester Cottam addressed the Board regarding this bill as it has to do with his department. He stated that this deals with the Governor's Catastrophic Wildfire Reduction Strategy and that over two million dollars have been spent over the last year in implementing this strategy primarily in wildfire fuels reduction. This bill specifically is addressing some conflicting code and to bring municipalities into the whole system of how to pay to fight wild land fires. He stated that it would ultimately change policies of how wild fires are dealt with in the state and addressing the way that the funds may be spent to achieve catastrophic wildfire reduction.
4. Wildfire Interface Zone Amendments – Rep. Brisco. State Forester Cottam also addressed the board regarding this issue. He stated that this is an income tax incentive for private land owners to utilize defensible space and mitigation work on private land. His agency sees this as another tool in the toolbox to reduce the risk of fire. He stated that this mirrors a similar incentive in Colorado and that it has worked well there.
5. State Construction Code Amendments – Abandoned by the Business & Labor Committee – bill would repeal the Farmington City Sprinkler statute. Marshal Porter stated that it will be up to Farmington City to follow through on that and that the Fire Marshal's Office will assist them if needed.
6. Construction and Fire Codes Amendments – Rep. Noel – wants to give authority for codes to the county commissioners in the 4, 5, & 6<sup>th</sup> class counties. Marshal Porter stated that the concern of these smaller counties is mostly to do with construction and wildland urban interface codes. The State Fire Marshal's Office is not in favor of this bill and Chief Deputy Black has met with Kane County commissioners several times as well as the Duchesne County commissioners and is working on a work around for these issues. This is a complicated and emotional issue and its been difficult to meet with all of the parties involved. The State Fire Marshal's Office will be monitoring this issue closely. Board Member Miller said that he was going to be meeting with one of these smaller counties and would address this issue as well.
7. County Regulation of Fireworks – Sen. Dabakis. Marshal Porter stated that he does not know the language or issue of this bill. Currently when a county wants to issue

restrictions the local Fire Warden works with the local officials and then forwards the issues/concerns to the State Forester who then closes that area for those communities. That was the common practice and the counties wanted that written in statute two years ago, so that was completed at that time. State Forester Cottam stated that his office also has no idea what the language of this bill might be and that the current system that is in place actually works quite well.

8. Fire Code Amendments – Rep. Kennedy has a concerned constituent about when key boxes are required:
  - ii. IFC 506.1 Key Box “Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location.”
  - iii. “Key Box” has been in the code since UFC 1982 edition (sec 10.209)

Marshal Porter stated that he had met with Rep. Kennedy regarding this issue. His constituent does not want the fire department to have any access to his business. Marshal Porter explained the way that the master key works and the procedures that are followed to allow access to respond to an alarm. The constituent contends that he would rather have the fire department knock down his door to gain access than that they have access by key. The recommendation/compromise by the State Fire Marshal’s Office which was presented to the Fire Marshal’s Association meeting the week before is if the local fire code official requires that the local businesses have the key boxes, that they then have a local ordinance that allows the business owner to appeal the requirement and have the local council address the business owner’s concerns. Since the local fire code official is not an elected official, the constituent is concerned there may be repercussions if he addresses his concern to him directly. Marshal Porter feels that to pass this as a state law would be too broad and feels it should be addressed more on a local level. He feels that the key boxes are a good product and serve a good purpose and that requiring them has saved many people a lot of money and expense as fire departments were able to respond to calls and gain access quickly.

Board Member Cottam asked for State Fire Marshal Porter to explain why some bills have numbers but no language. Marshal Porter stated that the Legislative session runs from the first Monday after the Martin Luther King, Jr. Holiday for 45 days straight. This might be changing to 45 business days in the future. During the summer they meet once a month for interim sessions so that the different committees can be approached by legislators or other officials regarding issues. Then if the committee decides to take a motion to move a bill forward and make it a committee bill. The bill will then get a sponsor and language for the bill and a number. If it passes unanimously in interim committee then it will go directly to the house floor during the session. He stated that getting bills passed is a very labor intensive complex process and requires work year round, sometimes multiple years. Board Chair thanked Marshal Porter for his information and report on the Legislative session and asked if there were any further comments. Board Member Larson made a comment regarding the key boxes. He agrees that this issue should be at the local level. Board Vice Chair Humphreys commented ask that Marshal Porter inform the Board as to where the Fire Caucus would be and what time. Marshal Porter stated that for about the last ten years, the Joint Council of Fire Service Organizations meets every Thursday morning during the session to discuss bills that pertain to the fire service. It is an open meeting. Once during each session the Council puts on a luncheon that all of the legislators are

invited to attend along with fire service representatives from around the state. This gives an opportunity for local fire officials to address issues with their local legislative representatives. This year's luncheon will be February 9th at noon at the State Capitol.

**Item #10** on the agenda was Old Business. Board Chair Newberg stated that he wanted to address item #14 from the last Board meeting. It was recommended to educate architects and engineers regarding the use of antifreeze and the possible alternatives to that. He stated he had been approached to speak at the local ASHRAE chapter meeting regarding antifreeze and possible alternatives and will be doing so within the next week. He stated that he also had an informal discussion with Board Member Larson regarding how to do this with the architectural community. He stated that he has also been approached by a member of the contracting community as well as a member of the engineering community about concerns about the public water supply. They are concerned that local communities are dropping water pressures without the fire service having any idea that that is happening. He stated that this may be an issue for the Board to look at and consider in the future. Board Member Poulsen stated that regarding antifreeze that they were also going to talk to the Home Builder's Association because they were one of the key players in this issue. Chief Deputy Black said that the Home Builder's Association has been invited to the Antifreeze Task Force meetings. He said presentations have been made by Casey Vorwaller to the Task Force and the Fire Marshal's Association but he is unaware if anyone from the HBA has attended any of those meetings. State Fire Marshal Porter said that he would be sure to approach Mr. Ross Ford who is the executive director of the HBA and extend an invitation to that presentation. Chief Deputy Black stated that the State Fire Marshal's Association is working with ICC to become a local training organization. Thus a presentation on this issue would count as continuing education for fire service personnel as well as architects and engineers. Board Chair Newberg feels that would make it easier to disseminate the information regarding this issue and make it more meaningful to local entities. Chief Deputy Black stated that they would also be meeting the following week with the water quality officials to address the issue of water flows. State Fire Marshal Porter stated that a related issue that they are addressing is that of pipe size requirements. Developers argue that smaller pipe diameters allow appropriate water flow, however as the developments grow, that is not the case. Board Vice Chair Humphreys stated that his city had just had to deal with that issue as well and retrofit several buildings at the city's expense to correct water flow pressure issues. Board Member Larson commented that he would pass along the information about the State Fire Marshal's Association working with ICC to become a local training organization and that the training would then count as continuing education to the AIA and asked who the point of contact would be. Chief Deputy Black stated that it would be through the State Fire Marshal's Office and that they would let the Board know when that was in place.

**Item #11** on the agenda was New Business. Chief Deputy Black stated that there was a request after the Agenda for this meeting was published. There is a vacancy on the Unified Code Analysis Committee that needs to be filled. As they are right in the middle of the process of reviewing the 2015 code adoption to be presented to the 2016 Legislative session, they feel it is important to fill that vacancy right away rather than waiting another two months until the next Board meeting. They would like to recommend Brad Larsen, who is a Battalion Chief with Unified Fire Authority and has over 30 years of experience in the fire service. Motion made by Vice Chair Humphreys to appoint Brad Larsen to serve on the Unified Code Analysis Committee

and that even though the item was not on the agenda, the motion is being made due to an urgent need. Motion was seconded by Board Member Miller, the motion was carried unanimously. State Fire Marshal Porter had another item of new business to present to the Board. He stated that UFRA is located on the property of the Provo Airport, and the master plan of the airport states that anything on that property had to be aviation related. UFRA does not own the building and it was given a 30 year lease and they are currently in the 20+ year of that lease. Thus, discussions have begun with Utah Valley University as well as several other key parties about possible relocation sites for UFRA. At this point they plan to approach the Board in the Fall to request the legislature to take funds out of the restricted account to procure a piece of property for the future location of UFRA. There may be a 30 acre piece of property on the west side of the freeway across from UVU that is currently being looked at as a possible relocation site. They are also looking at potential partners that may want to share in the cost in exchange for storage and other utilizations of the property. They will bring more information on this to the Board as they continue to work on the issue. State Forester Cottam stated that he was glad that his office was being included early on in these discussions and his office is very supportive of this issue. Board Chair Newberg encouraged the Board to take a good look at UFRA at the next Board meeting being held there so that they can make an informed decision about moving forward with issues regarding relocation. Board Member Phillips stated that he had to further items for discussion related to New Business. He asked State Fire Marshal Porter to address the issue regarding ATF and fireworks. Marshal Porter stated that ATF approached the State Fire Marshal's Office regarding an incident that occurred in another state. Many fire departments in Utah as well as other states put on fireworks shows for their local communities. In the incident, the fireworks distributor dropped of the load of fireworks in the fire station parking lot. The fireworks were then stolen, and the black powder was removed from the fireworks to make explosive devices. Thus in investigating the practices of the distributors in Utah, often the fireworks are not going into an appropriately approved storage. Cedar City has a vault out near their airport where the fireworks are stored until they are discharged. The ATF wants to insure that the fireworks are being dropped off and stored appropriately. The Fire Marshal's Office has been in contact with fire departments to let them know what their responsibilities are regarding safe storage of the fireworks as well as in contact with Conex Storage Boxes to try to ascertain the cost of the boxes as far as rental vs. purchase. They are looking to make sure that the Conex boxes meet the requirements of the ATF as well as necessary distances of where the box can be located. Marshal Porter stated that the Conex boxes are made in 20 ft. lengths and that you can buy them in 10 ft. lengths. The 10 ft. length costs between \$3200 and \$3400. But the 20 ft. lengths are only \$200 more because the 10 ft. ones are just 20 ft. ones cut in half and you are paying for all the labor and materials to do that. So at this time they are focusing on compliance and getting the correct information out to all of the fire departments. The second item that Board Member Phillips wanted to address was to invite Chuck Querry to address the Board to give a review of Winter Fire School. Mr. Querry, Assistant Director of UFRA, addressed the Board. He stated that the previous weekend had been the annual Winter Fire School. Firefighters throughout the state attend classes of various types of fire related training. Nearly 800 were in attendance. This year they had more hands-on classes, more opportunities for people to develop skills. They had 3 fire props as well as a fire investigation prop. 96 people went through auto-extrication this year as opposed to 21 last year. They also had 3 wild land training courses and over 50 exhibitors. He stated that it was a very successful event and that it is a great opportunity for everyone to get together to train and learn new skills to benefit their communities. Board

Member Poulsen commented that in addition the money that the Board had given UFRA for the two driving simulators, he was actually able to get in the simulator at Winter Fire School and experience the great training tool that it is. He stated that many people were lined up each day to be able to experience the simulators. State Forester Cottam said he and his office would be willing to participate and help in Winter Fire School in any way that they can as he sees it as a great benefit and opportunity.

**Item #12** on the agenda was that the next Board Meeting will be on March 10, 2015 at the Utah Fire and Rescue Academy starting at 8:30 A.M. Motion was made to adjourn the meeting by Board Member Poulsen, motion was seconded by Board Member Miller; the meeting was adjourned.