

**UTAH STATE FIRE PREVENTION BOARD
VIRTUAL MEETING
May 11, 2021 Meeting Minutes
PENDING APPROVAL**

BOARD MEMBERS PRESENT

David Olsen, Board Chair
Michael Phillips, Vice Chair
Chris Dawson
Joseph Decker
Craig Humphreys

Chris Kimball
Derek Maxfield
Brett Ostler
Frank Park
Patrick Tomasino

BOARD MEMBERS ABSENT

Jared Larson

STAFF PRESENT

Coy Porter, State Fire Marshal
Ted Black, Chief Deputy Fire Marshal
Renee Spooner, Assistant Attorney General
Jana DeMille, Board Secretary
Justin Cheever
Keith Claybaker
Shane Cook
Patrick Cullen

Cory Feese
Chris Hendrickson
Shane Maughan
Andrew McCormick
Jon Ritchie
Kelly Snow
Sheri Stevens

OTHERS

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.

Item #1, Board meeting called to order by Board Chair David Olsen. The meeting started at 8:30 A.M., over Google Meet. Board Member Roll Call – quorum present.

Item #2, Approval of the March 9, 2021 board meeting minutes. Motion made to approve minutes by Frank Park, seconded by Craig Humphreys. Motion passed.

Item #3, Open meetings training – moved to later in meeting

Item #4 Report to the Board by Chief Scott Spencer, Chair, Utah Fire Service Certification Council.

- Meeting held March 17, 2021
- Fire Investigator had a pre-requisite of HazMat Awareness or Fire Inspector I. The NFPA standard no longer requires that and so we removed it a pre-requisite for Fire Investigator.
- Fire Instructor I and II. Pro Board requested some changes before they would accept. That has been taken care of.
- Held our annual certification tester seminar. Had good attendance and good information.
- Thank you to Lori Howes for her great service. She is leaving UFRA and the Certification Council. She will be missed.
- Next meeting is May 19 at 10 am.

Chair Olsen added his thanks to Lori Howes for all she has done for the Utah Fire Service.

Item #3, Open meetings training by Board Attorney, Renee Spooner.

- Meetings are open to the public unless closed.
- A closed meeting is not allowed until each matter to be discussed in a closed meeting is permitted.
- Closed meetings may be held if a quorum is present, and 2/3 of the quorum must approve closing the meeting.
- During a closed meeting, the body may not take a vote except to end the closed portion of the meeting and return to an open meeting.
- The following information must be publicly announced and included in the minutes:
 - The reason for the closed meeting
 - The location of the closed meeting
 - The vote (by name) either for or against the motion.
- A few reasons for a closed meeting:
 - Discussion of character, professional competence, physical or mental health of an individual
 - Strategy sessions to discuss collective bargaining
 - Strategy sessions to discuss pending or reasonably imminent litigation
 - Strategy sessions to discuss the purchase, exchange or lease of real property
 - Investigative proceedings regarding allegations of criminal misconduct
- In the record of closed meetings, you must have a recording of the closed portion of the meeting and detailed written minutes. You don't keep a recording of a closed meeting where character, professional competence, physical or mental health of an individual is being discussed. In that case, there is a sworn statement affirming the sole reason for closing the meeting.
- Public notice must be made 24 hours before the closed meeting, including the agenda, date, time and place.
- In addition, you must give public notice of the annual schedule.
- The notice may be disregarded due to unforeseen circumstances/emergency.
- The public body may hold electronic meetings if a resolution is adopted to do so.
- Open Meetings Act does not apply to chance or social meetings.
- Contact Renee Spooner if you have additional questions.

Item #5, Report to the Board by Bradley Wardle, Director, UFRA and Item #8, Report on UFRA 2021 budget and the impact of Covid-19.

- General overview: Emerging from Covid-19 restrictions. Mask mandate is still in place for now, but we are moving full speed ahead on programs and delivering all classes and testing.
- Budget update: The ongoing \$300,000 budget reduction from COVID was restored into the budget for FY21/22. The budget uncertainty problem has been fixed. While our budget is "fixed," demand for UFRA resources is increasing daily. We are actively working on ways to be more efficient so we can deliver more classes.
- The college is being reorganized and a new dean appointed. UFRA is doing well and we are now fully assimilated into the University system.
- Lori Howes has been with UFRA for 23 years. She will be missed!

Item #6, Report to the Board by Coy Porter, Utah State Fire Marshal and Brad Wardle, Director of Utah Fire and Rescue Academy concerning the status of UFRA Memorandum of Understanding.

- SFM Porter reported everything is in place and we are waiting on the finalized document. Director Wardle reported the same. He has emailed UVU's attorney and he is awaiting a response and the final executed documents.

Item #7, Report to the Board by SFM Coy Porter on the Firefighter Support Fund (License Plate Grant), and 2021 Legislative approval for an increase in expenditures.

- This is the 11th year of doing the Firefighter License Plate Grant. All monies collected go into a restricted account and the Legislature must approve expenditures. The Firefighter Museum expenses are covered by this money and that is the first expenditure each year. The legislature has approved \$132,000 for the grant program each year. Over the years, additional money over the \$132,000 has been "saved" in this restricted account. This past legislative session they approved awarding the \$132,000 as well as some of the "saved" money, around an additional \$50,000. With grant committee approval, there may be ten additional \$5000 grants awarded. There will remain a cushion in the account to pay for additional license plates as needed.

Item #9, Report to the Board by Brett Ostler, Forestry Fire and State Lands.

- Leadership change at FFSL. Brian Cottam has resigned and is no longer with the State of Utah. Jamie Barnes is the interim director. Ostler will continue to represent FFSL on the Fire Prevention Board for the time being.
- FFSL receives funding from the US Forest Service for their Utah Fire Department Assistance Grant. This year that will be around \$308,000. The legislature has also added that 10% of restitution monies collected from the public or a person starting a fire will go to the grant. There is about \$85,000 additional money coming from that account. The grant application period is open right now.
- 2021 Fire Season – Hot and dry, record drought year. If we could keep human-start fires down, the fire season would be normal. Last year was record-setting with the number of human-start fires. The legislature has given us \$1.8 million over 3 years for a massive prevention campaign, which has started.
- Thank you to Lori Howes for her service to Utah's firefighters!

Item #10, Tabled to next meeting.

Item #11, Re-appointment by the Board of Scott Spencer, Payson Fire Department; Jeremy Raymond, Uintah Fire Suppression SSD; and Merlin Spendlove, Hurricane Fire & Rescue to the Utah Fire Service Certification Council.

- Motion by Craig Humphreys to approve these re-appointments. Seconded by Joe Decker. Motion passed.

Item #12, Approval by the Board to conduct the July Fire Prevention Board meeting virtually.

- Motion made by Chris Kimball to conduct July's meeting virtually. Second by Craig Humphreys. Motion passed.

Item #13, Old Business – None

Item #14, New Business:

- Coy Porter advised the Board that on June 4 a letter from the Department of Commerce, Division of Occupational and Professional Licensing (DOPL) was distributed to building officials and the Fire Marshals' Association. The letter detailed efforts by DOPL to look at fire protection design work, and professional licensed engineers stamping and approving all types of fire protection installations and shop drawings, and oversight during installation. This is very much a departure from standard practice in our field. SFMO had a meeting with DOPL's director, some of DOPL's staff, Patrick Tomasino and Tom Peterson. We requested they allow us to put a small work group together representing building, fire and DOPL personnel to address some of their concerns. We asked DOPL not to take further action until this work group can gather and review the codes. We need to work through Titles 58 (Licensing Code), 15A (Building and Fire Code), and also 53 (Fire Prevention Act), and will include some references to the mechanical and plumbing code DOPL will not act until after this concerted effort. DOPL's director apologized for the oversight of not including the fire service in this discussion before the letter went out. We ask that everyone continue with their normal working environment approving plans, etc.

We will provide this information to the Fire Marshals' meeting following this Board meeting. We hope to have additional information to report to the Board in July.

Item #15, Next Board meeting is scheduled for July 13, 2021, beginning at 8:30 am at the Utah State Fire Marshal's Office. This will be a virtual meeting.

Motion by Patrick Tomasino to adjourn the meeting, seconded by Chris Dawson. The meeting was adjourned.