



UTAH STATE FIRE CHIEFS ASSOCIATION



Bradley C. Wardle, Fire Chief, West Jordan F.D., President
Mike Mathieu, Fire Chief, Ogden City F.D., 1st VP
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Meeting Minutes (amended 9/9/2009)
August 12, 2009, Park City, Utah

Attendance: 47 members

Intrastate Mutual Aid System (IMAS)

Kevin Ward presented an update on Utah's Intrastate Mutual Aid System. See Appendix on highlighted topics.

EMS Legislation

Paul Patrick reviewed how the RFP process works for 911 transport licensing and how the needs & necessity process works for non-911 transport licensing. He stated that Southwest Ambulance had withdrawn their needs & necessity application for service in the Salt Lake City area. He said that IHC in St. George has applied for a non-911 transport license to deliver patients between their two campuses, which are about 8 blocks apart, and from their helicopter hangar to the airport. Coy Porter asked if this would create precedent for future applications to deliver patients between other in-network campuses. Patrick assured that new applications would be needed for other inter-campus delivery scenarios, unless legislation changes were to allow automatic licensure for this.

Patrick also announced his intention to hold working meetings at the BEMS office to look at revisions in the 57 sections of UCA 26-8-A. the meetings will be held at 3:00 p.m. for the following dates: September 9th and 30th, October 21st, November 4th, and December 2nd. Revisions to restore grant funding and latitude of distribution back to the BEMS will also be discussed.

Much discussion ensued on how best to address the concerns of the membership regarding future legislation regarding ambulance licensure. Mike Jensen shared several key thoughts, namely: 1. it is always easier to play defense on legislative bills than to develop and bring a concept all the way through to adoption, 2. it is difficult to believe that Utah legislators, of which the vast majority are Republicans and private business owners, are willing to adopt legislation that would allow government entities to determine who gets licenses among applicants, such as private companies, hospitals, and fire departments, and 3. it is important that the fire service work toward developing common principles among ourselves so that we do not look like we are dragging our feet on helping the legislators find the best solution to recurring ambulance legislation.

After much discussion, a **motion** was made by Mark Meaker, and seconded by Tom Kuhlmann, that the Utah State Fire Chiefs Association, through their respective representatives, will strive to reach solutions that achieve four goals: 1. Maintain local control for service delivery, 2. Provide for flexibility to local areas for service delivery models, 3. Maintain viable 911 systems, and 4. Maintain involvement of the BEMS to provide oversight of issues related to quality control, standards, certifications, etc. The motion carried **unanimously**.

Utah Retirement System Legislation

Jim Rampton handed out documents prepared by the Utah League of Cities & Towns (ULCT) regarding three options to help make the URS more fiscally viable. The ULCT recognizes the need to get out in

front of the needed changes to the current URS policies due to the recent fund losses and potential future shortfalls due to changing economies and longevity of retirees. These proposals will be presented to the legislature as they begin their budgeting process. Rampton pointed out that the various funds' goals must still strive to become 100% funded. Currently, the firefighter system is at 92%, whereas the law enforcement fund is at around 76%. Also, the firefighter system allows for an employee contributory component; however, all fire service employers but two in the state pay the employee portion.

There was much discussion about the sentiment of some law makers who are concerned about the state – employee contracts clause in the US Constitution that implies changing employee retirement benefits for those vested would violate this clause. The California Attorney General's office recently confirmed this. However, other lawmakers would cite the "reasonable" clause in state statute to suggest that the state is allowed to change some components of the retirement system (e.g., the Final Average Salary re-structuring, etc.) based on the 14th Amendment addressing states' rights. Mike Jensen suggested that the FAS re-structuring will probably occur, as well as benefit modifications to employee re-hires such as reducing contribution levels and re-directing all or some of the contributions to the URS instead of a 401(k). Jensen also anticipates potential lateral effects from city officials trying to balance fire and law enforcement benefit contributions for re-hires.

In response to a request from Marty Peterson, the firefighters representative to the URS committee, for feedback and/or support for his strategy for the next legislative Retirement and Independent Entities Committee meeting, a **motion** by Ted Black, seconded by Paul Sullivan, was made to support Marty Peterson's strategy and direction as outline in a handout, namely, to: "1. Don't make any changes to: a. Judges system, b. Firefighter system, c. Legislative system" and, if unsuccessful with this option, to "2. Make changes (using one of the three options or a hybrid) to the Big System [with Option #2 understood to be the preference]." This motion was to be clearly understood that this is not the position of the UFCA. Coy Porter requested an amendment to the motion, namely, that Marty Peterson reports back to the UFCA after the meeting. This amendment was adopted and the final motion was **passed unanimously**.

Ted Black made a **motion**, seconded by Mark Meaker, that the same position as above, with the amendment, should be adopted by the UFCA to be presented to the ULCT. The motion **passed unanimously**. The ULCT reports to the Retirement and Independent Entities Committee on September 9th.

Good of the Order

Ron Morris suggested that the Association consider modifying the length of terms for the executive board members to two-year terms, as most other states do. This could help maintain better continuity of oversight for many of the longer term complex issues facing the association. The group agreed to agenda the item for the September meeting.

The next meeting is scheduled for September 9th at 9:00 a.m. in Salt Lake City at the Sheraton Hotel, in conjunction with the 2009 League of Cities & Towns Convention.

Appendix

Report highlights from the *NATIONAL MUTUAL AID STAKEHOLDERS MEETING, FEMA REGION WORK GROUP MINUTES, JUNE 3, 2009*. For complete report, see the following link: http://www.iafc.org/associations/4685/files/mtlAid_FEMA_Region_Minutes093006.pdf

UTAH

Status Report

Launched the plan in 2008 working group was formed utilizing 7 counties that account for 96% of the population. Utah Emergency Managers Association initially was upset that they were not consulted in the beginning, but this issue has been resolved now. Legislation was allowed to opt out and it was passed in 2007 and the plan was distributed to the membership in January 2009. In the process of getting the plan to all of the local fire chiefs to market the plan and we conducted a tabletop exercise in May 2009. All of the

resource data information has been loaded into IRIS. Recently presented the plan at the Governor's Public Safety Summit and we are now waiting to receive the AAR from the tabletop exercise.

Deployments

In 2008 there were no major interface fires in the state, but we did deploy a strike team to California for 21 days.

Key Issues

How to use the plan particularly in the smaller communities

Lack of depth in regional and county coordinators

Need to merge the fire state plan with other regional plans such as Haz-mat and the State Wildland plan

Need to do a better job of getting the plan to local fire chiefs

Need a dedicated plan coordinator

Solutions

Education and Training

Joining sparsely populated counties

Ongoing discussion and education

Financial Needs

Functional Exercises –90/90.

Brochures/DVD/ Thumb drives to assist with marketing

FEMA Needs

See FEMA needs for all states at the end of FEMA 7 & 8

Law Enforcement

Have not been involved but the fire service has offered their plan as a template.

Additional highlight:

FEMA Needs for Region 7& 8

Fix EMAC

Legislation at State level to mirror neighboring states

Need a better way to overlap regional approach – can not always stick to the region for resources

Resource database is needed

Communications – Method for pre-notification

Model information sharing after National Situational Report