



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF FIRE SERVICES
RICHARD W. MILLER
STATE FIRE MARSHAL

MIKE ZIMMER
ACTING DIRECTOR

STATE FIRE SAFETY BOARD MEETING MINUTES-AMENDED
Thursday, October 23, 2014

Members Present

John Enkemann
Greg Herman
Donald Hicks
Mark Jensen
Andrew Lenaghan
Thomas Lippens
Dean Mallos
William Mayes (Vice Chair)
Richard Miller
Kassandra Renneberg
Les Rodwell (Chair)
Ron Sabin

Members Absent

David Henry
David Herbel
Dr. Ralph Hodek
Dr. Usamah Mossallam
John Wozniak

Guests

Richard Gudkese, Michigan Society for Healthcare Engineers
Brian Williams, LARA/BFS Plan Review Division

Michigan Department of Licensing and Regulatory Affairs Personnel

Julie Sworden, LARA/BFS, Temporary Executive Secretary to the Board
Cathy Carson, LARA/BFS, Replacement Executive Secretary to the Board

Call To Order and Determination of Quorum

Meeting was called to order at 1:05 p.m. Chair Rodwell asked all to stand for the Pledge of Allegiance. Chair Rodwell requested a moment of silence for public safety officers and the military. Roll Call by Board Secretary Cathy Carson determined that a quorum was present. Chair Rodwell gave emergency exiting procedures. Chair Rodwell welcomed everyone. Introductions were made by board members and guests.

Agenda

Chair Rodwell requested any additions, deletions or changes to the agenda. Chair Rodwell added to agenda unfinished business, item 6, memorandum to ban new antifreeze sprinkler systems in regulated facilities, presented by Brian Williams.

LARA is an equal opportunity employer

Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities.
3101 TECHNOLOGY BLVD., SUITE H • P.O. BOX 30700 • LANSING, MICHIGAN 48909
www.michigan.gov/bfs • (517) 241-8847 • Fax: (517) 332-1427 or (517) 332-1428

A **MOTION** was made by Board Member Herman to approve the agenda for Thursday, October 23, 2014 as amended. **MOTION SUPPORTED** by Board Member Enkemann. **MOTION CARRIED**

Disposition of Minutes

Chair Rodwell requested a review of meeting minutes of the September 24, 2014; please announce your name when making or supporting any motions so that it's clear on the recording of the minutes.

A **MOTION** was made by Board Member Renneberg to approve the minutes as amended to correct the name of the person supporting the motion to adjourn. **MOTION SUPPORTED** by Board Member Mayes. **MOTION CARRIED.**

Unfinished Business

Item 6 of the agenda, the memorandum to ban new antifreeze sprinkler systems in regulated facilities is a result of what the NFPA has put together regarding TIA's or amendments to 2013 additions of NFPA 13, 13R and 13D. The current rules do not adopt that year's addition. Our rules adopt the 2002 addition. The Bureau of Fire Services believes the concern shouldn't be hinged on what year we are adopting. The memorandum states the rules and facilities that are subject to Public Act 207 would ban new installations of antifreeze systems until a listed antifreeze solution is presented. Currently there are no listed antifreeze solutions available. Work is being done to establish a list of solutions. Based on the information that NFPA reports and the studies they have completed, we are following NFPA's lead and the memorandum is being presented as an administrative interpretation. The NFPA's website list different solutions for the ban on new antifreeze systems and have a dedicated antifreeze webpage.

SFM Miller gave a brief explanation regarding antifreeze and fire sprinkler systems. The antifreeze sits in the pipe so long it separates. The antifreeze separating from the water in the pipe permits release of flammable liquids into an ignition source, worsening the fire it is intended extinguish.

Recommendations:

1. The memorandum is to enforce the State Fire Safety Board Administrative Interpretation No. 001-2014.
2. BFS Procedures for New Anti-Freeze Sprinkler Systems.

SFM Miller stated that a NFPA representative at the NFPA Fire Marshals Forum in Boston suggest there is a company very closed to having a listed solution.

PA 207 does provide variances or modification requests for facilities that have active fire brigades or hazmat equipment. Based on the reason, the Bureau of Fire Services would approve or deny the request.

A **MOTION** was made by Board Member Mayes to approve the Bureau of Fire Services Procedure 06-24, New Anti-Freeze Systems, along with the memorandum to ban new antifreeze sprinkler systems in regulated facilities dated October 17, 2014. **MOTION SUPPORTED** by Board Member Sabin. **MOTION CARRIED.**

Board Member Enkemann asked how this procedure be published to design professionals that would be potentially designing the sprinkler systems? The Bureau of Fire has a process in place and the BFS Procedure 06-24, New Anti-Freeze Sprinkler System, can be sent via email to certified sprinkler firms and architectural firms. We are proposing to put this procedure in an email format. It has been suggested that firms that phone in with concerns be directed to search the NFPA website for updates.

Plan Review

Centers for Medicare/Medicaid Services (CMS): Several staff members have transferred to the Bureau of Healthcare Services which will be responsible for long term care facilities. This transitional will take time to set procedures. The Bureau of Fire Services will continue to process the plan reviews for long term care facilities such as nursing homes. Inspections and follow up will be transferred to the Bureau of Healthcare Services.

Bureau of Fire Services Report

Fire Fighter Training Division – Training Division Manager, Joe Grutza, retired in September of 2014. His replacement will be announced as early as Friday, October 24, 2014.

Fire Fighter Training Council Meeting/Fire Instructors Conference - Training of Fire Instructors conference in Traverse City will be held on Friday, October 24, 2014, as well as the Fire Fighter Training Council meeting. There will be changes made and updates will be given at the next meeting.

Fireworks- SFM Richard Miller reported that November 1, 2014, will be the opening date for delegation program for fire departments to apply to inspect tents or permanent facilities for fireworks sales. Last year there were 75 delegated departments. There were 112 cities and townships represented by the delegated departments.

SFM provided an update regarding the funds in the Fireworks Program per the statute. The fireworks fund has two accounts; the certificates and the six percent safety fees that are added to the sales of fireworks. The certificate fees for tents and permanent structures were the funds are returned back to the bureau. As of October 15, 2014, the total amount for tents (temporary structures) was \$411,465.00 in certificate fees and the amount for the sale of fire works out of buildings (permanent structures) was \$218,200.00 for certificate fees. The six percent tax of all sales that were collected last year was \$1,827,581.00. There is a total of one million dollars from the fees collected allocated for fire fighter training throughout the state and of the one million dollars there

was a total of \$850,101.00 spent on fire fighter training. The difference of \$150,000.00 carries forward and is returned back into the fund. As of October 15, 2014, the fund account has a total of \$3,994,960.00. There have been changes to the boiler plate language, and moving forward for next year there will be another one million dollars appropriated for fire fighter training.

There have been multiple letters sent to fire departments to work with their CTC (county training coordinator) to verify the needs of training for the counties and allocate funds to spend accordingly. This will be discussed further during the conference.

Senator Glen S. Anderson of Westland has proposed some language to retract the statute due to complaints and they want to address the complaints accordingly. The funds for 2014 and 2015 are allocated different. The training statute is PA 291, and in the Act in prior years legislature only allocated \$200,000.00 dollars for fire fighter training for all 83 counties. The money was divided using a formula of 70% population and 30% geography. This formula was used to allocate the funds when the Fireworks money started to be allocated in 2014 there was a combination minimum distribution to counties and grant money. They gave \$10,000.00 dollars to each county which was a total of \$830,000.00, the remaining \$170,000.00 dollars was given back to the counties in a grant program. The Fire Fighter Training Council approved the grants that the counties applied for. There were multiple discussions on whether this was correct or even legal. The next year they went back to using the formula of 70/30 program according to the statute. The statute states that the minimum distribution is \$5,000.00 dollars. A county could receive less money, and this figure may change again for 2015.

Legislative Update

- a. SB 1023 was introduced by Senator Glen Anderson to repeal the Michigan Fire Safety Act on August 13, 2014, currently sitting in committee.
- b. HB 5723 was introduced by State Representative Andy Schor to repeal the Michigan Fire Works Act in the State of Michigan, August 13, 2014 currently sitting in committee.
- c. HB 5642 - Use of barns for private events, introduced in June 2014 currently sitting in committee.
- d. HB 5810 - Prohibit use of sky lanterns. Representative Yanze is suggesting that this bill should not be listed under fireworks.
- e. PA 322- Public Safety (Police & Fire) under a current contract renewal would continue under the old contract. If there are increases in pay it would be paid retroactive. This was upheld.
- f. PA 322 – A fulltime Fire Fighter can work as a volunteer Fire Fighter in their committee. This was upheld.
- g. SB-211 - Cancer presumption bill, currently sitting in committee. Planning to move forward at the end of this session.

Unfinished Business

For NFPA updates to the NFPA 2002, check the appendix for Michigan Building Code for 2009. This will dictate what additions are required to follow.

Public Assemblage Ad Hoc Committee – Fire Marshal Miller informed that the committee has had three meetings and gathered a lot of information; they are aware of the issues and have ideas on how to rectify the issues. The main issues consist of money and personnel. More information is being compiled and will be included in the draft report that he is currently working on. He suggested to stop meeting until the report is complete, edited and reviewed. Once they have reached a consensus, submit the report to Administration for review, then to the Governor's office.

New Business

Chair Les Rodwell reminded the board members about the attendance policy PA 207, Section 29.3B Sub-Section (3). Continued absence of a member appointed by the governor from regular or special meetings of the board makes the member subject to immediate removal by the governor. If there is a member that is continuously absent, the organization that they represent should be notified. By law there are only four regular meetings required per year.

SFSB Firework Appeals to issue decision October 24, 2014

1. Citation FW14034 called to order at 2:15 p.m., issued to Zyvon Zetuna (S. R. Mikicuk, Attorney), received 07/12/14 has been upheld, adjourned 2:17 p.m.
2. Citation FW14296 called to order at 2:18 p.m., issued to Arjoann Zendan (Ryan Streefkerk, Attorney), received 07/04/14 has been upheld, adjourned 2:20 p.m.
3. Citation FW14297 called to order at 2:21 p.m., issued to Ali Basma (Romi Mezy, Attorney), received 07/05/14 has been upheld, adjourned 2:35 p.m.
4. Citation FW14030 called to order at 2:36 p.m., issued to Ghesam Yousif (Alan Applebaum, Attorney), received 07/05/14 has been upheld, adjourned 2:37 p.m.
5. Citation FW14028 called to order at 2:38 p.m., issued to Khalid Tello, received 07/05/14 has been upheld, adjourned 2:40 p.m.
6. Citation FW14021 called to order at 2:41 p.m., issued to Adham Gowro (Joseph Nafsu, Attorney), received 07/01/14 has been upheld, adjourned 2:42 p.m.
7. Citation FW14014 called to order at 2:43 p.m., issued to Patrick Capobianco (Rick Unger, Attorney), received 07/24/14 has been upheld, adjourned 2:47 p.m.

8. Citation FW14153 called to order at 2:48 p.m., issued to Jill Hutton (Hugh Davis, Attorney), received 06/27/14 has been upheld, adjourned 2:49 p.m.
9. Citation FW14152 called to order at 2:50 p.m., issued to Jill Hutton (Hugh Davis, Attorney) received 06/27/14 has been upheld, adjourned 2:51 p.m.
10. Citation FW14044 called to order at 2:52 p.m., issued to Mohsen Molaei (Tarek Baydoun, Attorney) received 07/24/14 has been upheld, adjourned 2:53 p.m.

Public Comments

Funding from the fireworks program is distributed among 83 Counties throughout the state of Michigan. The county training coordinator (CTC) is a non-paid position appointed by the county chiefs organization, and their position is to work with the chiefs in the counties to identify the training needs for the departments. There are currently 16 regional training coordinators along with 16 regional training centers. Moving forward with the \$170,000.00 grant program, there will be more involvement from departments to host more fire training council meetings. A map of all the counties will be emailed to each board member.

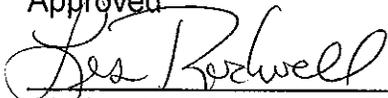
Next Meeting Date

The next meeting will be held **Thursday, December 4, 2014, at 1:00 p.m.**, at 3101 Technology Blvd., Suite H, Lansing, MI.

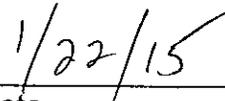
Adjourn

A **MOTION** was made by Board Member Mayes and **MOTION SUPPORTED** by Board Member Enkemann to adjourn the meeting at 3:02 p.m. **MOTION CARRIED.**

Approved



Chair, State Fire Safety Board



Date

Les Rodwell,

Printed Name of State Fire Safety Board Chair