



STATE OF DELAWARE
STATE FIRE PREVENTION COMMISSION
DELAWARE FIRE SERVICE CENTER

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DOVER, DELAWARE 19904

STATE FIRE PREVENTION COMMISSION

Monthly Meeting

July 17, 2007

MEMBERS PRESENT

Kenneth H. McMahon, Chairman
Marvin C. Sharp, Vice Chairman
Daniel W. Magee
W. (Bill) Betts, Jr.
Francis J. Dougherty
Bob Ricker
Ken Pyle

Allison Reardon, Deputy Attorney General
Robert Newnam, Director, State Fire School
Grover P. Ingle, State Fire Marshal
Sherry Lambertson, Executive Specialist

GUESTS

Richard R. Ward, Assistant State Fire Marshal
John P. Rossiter, SFMO
R.T. Leicht, SFMO
James L. Cabbage, DVFA
Alan Robinson, Jr., DVFA
Richard Parrett, Bethany Beach Fire Co.
Mike Lowe, DSFS
Alan Robinson, DVFA
Gary Madden, Marydel Vol. Fire Co.
Ron Williams, News Journal
Jim McClanahan, SFMO
Ralph Rossi, Marydel Vol. Fire Company

CALL TO ORDER

Chairman McMahon called the meeting to order at 9:00 a.m.

PLEDGE OF ALLEGIANCE

REGULAR SESSION

APPROVAL OF JUNE 19, 2007 COMMISSION MEETING MINUTES

It was moved by Commissioner Magee, and seconded by Commissioner Ricker that the minutes of the June 19, 2007 Commission meeting be approved as amended. Motion carried. Commissioner Betts abstained from voting.

CALL FOR ADDITIONAL AGENDA ITEMS

Chairman McMahon called for additional agenda items. Chairman McMahon added Little Creek/Magnolia Fire Co. Correspondence. Commissioner Magee added Bethany Beach Ambulance, Chad Harmon Update and Executive Specialist Report. It was moved by Vice Chairman Sharp, seconded by Commissioner Betts to approve the agenda as amended. Motion carried.

REPORT OF THE STATE FIRE MARSHAL

Agency's Activity for the month of June is as follows: investigations 74- (criminal 36- /accidental 35- undetermined 3-); arrests 7-; inspections 770- (health care 4- /deputy 222/tech services -283 "QAP-261"); complaints-29; plan reviews 373-; PRUF revenue collected (June) \$163,399 year to date \$1,924,594; total overtime hours worked 240.5-; time off in hours (Deputies) 437.0 (vacation 281.5- /compensatory leave 56.5- /sick leave 91.5- /holiday 0.0- /compassionate 7.5)

INFORMATIONAL ITEMS

Personnel Issues

Fire Marshal Ingle reported that he has received a list of candidates for the Assistant State Fire Marshal vacancy. Interviews will be conducted within the next two weeks. A name will be presented at the August meeting for hire.

Fire Marshal Ingle introduced Jim McClanahan as the new Fire Protection Specialist I. He will work in Kent and Sussex Counties.

Personnel Issues

Fire Marshal Ingle received a list for the Fire Inspector (Day Care Inspector) position. Interviews will be conducted and a name presented for hire at the next commission meeting.

Scott Bullock and Brian Schad are currently in Alford, Maine for the annual recertification for K-9 Kelly. They will have a good week of training and don't expect any issues with the certification.

Chris Connelly, part-time inspector resigned from his position due to scheduling conflicts with his full-time employment.

DFIRS Update

The following fire companies are delinquent in DFIRS requirements.

- **New Castle County**

Belvedere	January, March – June, September 2006 March & May 2007
Christiana	April & May 2007
Cranston Heights	May 2007
Five Points	April & May 2007
Port Penn	January – March 2007
Talleyville	May, 2006 & April & May 2007
Townsend	February – March 2007
Wilmington Manor	May 2007

- **Kent County**

Camden-Wyoming	April & May 2007
Frederica	May 2007
Marydel	April 2007
South Bowers	May 2007

- **Sussex County**

Delmar	January – May 2007
Gumboro	May 2007
Lewes	May 2007

Hardwired Smoke Detectors

Fire Marshal Ingle reported that despite the effort being put out by going to individual community events, referrals are still coming in at the same rate. Approximately 3 – 5 referrals come in a month.

False Fire Alarms

The Fire Marshal's Office is seeing some improvement in the False Fire Alarm reporting. Bob Borkowski has met with Fire Chief's and is taking a different approach. They are being shown how to use the system and the benefits that they gain by using it.

Fire Death Update

A fire death took place on June 29, 2007 that remains under investigation. The cause of death is pending the Medical Examiner's report. This is the 11th fire death of the year. A smoke detector was present in the home with a non-working battery.

Fire Safe Cigarette Legislation

Fire Marshal Ingle reported that Governor Minner officially signed the Fire Safe Cigarette legislation on July 5th. She will do a ceremonial signing on Tuesday, July 31st at 10am in the Tatnall Building conference room.

Residential Sprinkler Initiative

Fire Marshal Ingle continues to work with Commissioner Brode. He is waiting for direction from Kent County.

Tidewater Utilities

A final document agreed upon by both parties should be prepared for the commission's review by the August meeting.

State Fair

The Fire Marshal Office is prepared to begin work at the State Fair.

FY08 Budget

The Fire Marshal Office received a Technical Service position in the FY08 Budget for New Castle County through special funds. The agency received the position with no equipment or vehicle. Fire Marshal Ingle has approached the budget office in regard to a fee increase to accommodate the needs of his agency.

Vehicles

Fire Marshal Ingle continues to work with the Office of Management and Budget on the vehicle issue. Because these vehicles are purchased out of special funds, it would be much easier for his agency to control the purchase of the vehicles. His budget will not be able to sustain the cost from Fleet Services.

Collective Bargaining

Fire Marshal Ingle reported on legislation that was passed for collective bargaining for state employees. This may have some impact on the Fire Marshal Office.

Jurisdictional Fire Marshal Meeting

A Jurisdictional Fire Marshal meeting has been scheduled for Thursday, July 26th in the New Castle County office.

Sussex Office

The office staff moved to the newly completed office space on Friday, July 13th. The HVAC system stopped working and is scheduled for repair.

ACTION ITEMS

No report at this time.

FIRE MARSHAL/FIRE SCHOOL

No report at this time.

MISCELLANEOUS

No report at this time.

REPORT OF THE FIRE SCHOOL DIRECTOR

INFORMATIONAL ITEMS

Director

- Attended
 - FEMA grant monitoring meeting at DEMA
 - Burn regulations meeting at DNREC
 - Incident Review Report to 21-8
 - State Chiefs
 - DCFSF Planning Meeting
 - New Castle Fire Chiefs meeting at Station 22
 - KCLEPC Meeting at Reichold
 - Planning Meeting NCC Airport at DEMA
 - Delaware South Tabletop Planning Meeting at DEMA
- Booth at the Conference to promote the activities of the DSFS
- Budget for 2007 – 2008
 - Instructor pay increases for \$2.00 per hour were approved. Director Newnam asked the commission to approve this pay increase. It was moved by Commissioner Ricker, seconded by Commissioner Magee to approve the \$2.00 per hour raise for the part-time instructors. Motion carried.
 - Liquids Pad Concrete work has been approved. The job will go out for bid.
 - Rescue Tool Replacement – Three companies were approved for replacement.
- Marydel (Sta. 56) EMT-B's – Protocols completed. Biff Newnam and Jay Myers met with Chief Madden.
- Director Newnam received a call from Delmar (Sta. 74) with questions in regard to EMT's and Paramedics.
- EMT-B's – De-certifications due to lack of Protocols. Approximately 70 EMT-B's in Delaware were decertified July 1st, because they did not meet the protocol requirements. Now that they have been decertified they must challenge the protocol test and get a background check.
- National Registry Test results since January 1, 2007
 - Statewide – 122 tested, 77 passed, 45 failed
 - Bayhealth 29 tested 69% pass rate
 - DSFS 60 tested 60% pass rate
 - Shore 33 tested 64% pass rate
- Number of EMT's in a Station. An issue arose with a fire department that had no EMT-B's on staff. They are unable to run an ambulance service without an EMT-B. Director Newnam will develop a routine tracking system to monitor coverage.

Director cont.

- The vacant administrative position has been posted with a closing date of Monday July 16th. Director Newnam asked for authorization to proceed with the interview process. It was moved by Commissioner Magee, seconded by Commissioner Ricker to authorize Director Newnam to advertise and interview for the vacant Administrative Specialist II position. Motion carried. Commissioner Ricker will participate in the interview process.
- Director Newnam presented the commission with a copy of his One year – Long Range Plan for the DSFS– 2006-2007. This plan was adopted last year and shows the updates of what is completed to date. Vice Chairman Sharp stated that the staff has done a good job and deserves to be commended. The next long range plan will be presented at the next meeting.
- The computer program update has been an on going project. The proposal to complete this project has come in at \$70,000. Director Newnam will keep the commission up to date on its progress.
- The Fire School is developing an e-mail data base for group e-mails. The Fire School intends to send class brochures, etc. to the Chief's, Presidents and Training Officers.
- Out of State – August 3 – 6
- Continue to work on the MSA breathing apparatus exchange program for \$85,000 per year.
- FIT Testing equipment is now in service. FIT Testing is not changing. The beard policy is not changing.

Staff Activities

- Participated in the Annual Planning and Evaluation Session
 - Updated course catalog
 - Updated staff policy manual
 - Developed the 2007-2008 schedule
 - Discussed changes and updates to programs
 - BFBS – SFFS – HMRS – Truck Company – Fire Officer programs – Safety Officers Fire Alarm Systems Water Rescue
- Craig Stephens is updating forms on Web-site to become interactive.
- A Spanish speaking guest instructor has been added to assist with translations and programs at the Spanish Festival.
- A monthly update was submitted to the commission for the Risk Watch program as well as a Risk Watch School Report.

Staff Activities cont.

- Staff BBQ on July 9th went well.

Programs/Courses

- Senior Instructor Jim King has done a great job with the National Fire Academy Weekend this year. 70 Students are signed up to attend from 16 last year.
- The Fire School will begin offering Rescue Technician Certification. It will begin with Vehicle Rescue and Machinery.
- Basic Vehicle Rescue will now be offered regionally.
- EVO will be offered regionally.
- Added additional Certification test dates.
- Changes to the Brochures have been made due to cost of printing.
- September course announcements will be emailed to Chief and Training Officer.
- Adding testing to lecture blocks of instruction on all programs offered at the school.
- Fit Testing program has been field tested and programs are scheduled.

Maintenance

- Waiting for MSA's response to the lease agreement.
- Pricing the liquid pad concrete work.
- Completed the office re-modeling project. Commissioner Ricker wanted the maintenance staff to know that they did an outstanding job on the project.
- Walt Walton will retire from the DSFS August 31, 2007. He has been an asset to the agency and it will be difficult to replace his talents.

Financial

Tuition Account	(8000) 209,380.00	Balance 78,031.45	A/R
Hazardous Material Account	(8200) 98,683.00	Balance 15,940.00	A/R
Past Due Billings			
30 days past due	\$8,100.00		
60 days past due	\$8,400.00		
90 days past due	\$0.00		
120 days past due	\$0.00		

REPORT OF DEPUTY ATTORNEY GENERAL

No report at this time.

ACTION ITEM

BLS Medical Director

Dr. Patrick Matthews has accepted the position as the BLS Medical Director. He will begin working from the Fire School sometime in the fall.

Marydel Volunteer Fire Company

Chief Madden and President Ralph Rossi of Marydel Volunteer Fire Company addressed the Commission in regard to Maryland EMTs and Paramedics working in Delaware. The State Fire Prevention Commission requires the Maryland EMTs and Paramedics to be Delaware certified with protocol testing and background checks. These are mandated requirements through statute and regulations. The commission stands firm on providing the best possible care for our citizens and cannot waiver on these requirements. The statute is written specifically to protect the citizens and give them the best care that Delaware can provide

Further discussion will take place between the parties involved in regard to a possible mutual agreement and a report of the meeting will be given at the next meeting.

Evaluation Discussion

The commission discussed the newly adopted procedure of performing annual performance evaluations for the State Fire Marshal and Fire School Director. It was agreed that the commission will appoint the agency commission liaison and two commissioners from separate counties to conduct the evaluations.

Evaluations will be performed by the end of December annually, to keep in line with other state employee evaluations.

Exit Interviews

The commission discussed the newly adopted procedure of conducting exit interviews for staff members from the State Fire School and State Fire Marshal Office. It was agreed that the liaison from the commission for each agency will conduct the exit interview on behalf of the commission.

Executive Order

The Commission discussed Executive Order Ninety-Nine signed by Governor Ruth Ann Minner. The Order requests that the State Fire Prevention Commission conduct a study to determine the benefits of having an annual audit of financial records of volunteer fire companies. The State Fire Prevention Commission shall examine and make recommendations concerning the benefits of having the SFPC audit the financial records, the manner and frequency in which audits of financial records of volunteer fire companies should be performed and any legislation needed to authorize the SFPC to audit the financial records of volunteer fire companies. The finding and recommendations shall be provided to the Governor, the Speaker of the House and the President Pro Tempore of the Senate, by October 1, 2007.

The Commission discussed different types of audits and possible action that could possibly be taken if a volunteer fire company did not comply with the requirements. A committee including the entire Commission, Tom Wagner, Jack Markell and three fire service appointees will begin meeting to conduct the requested study. Chairman McMahon spoke to State Auditor Tom Wagner about serving on the committee as well as Jack Markell. Mr. Wagner and Mr. Markell have agreed to assist with the study.

It was moved by Commissioner Pyle, seconded by Commissioner Betts to move forward with the committee as stated. Motion carried.

Little Creek/Magnolia Volunteer Fire Company Correspondence

The Fire Prevention Commission received joint correspondence from Little Creek and Magnolia Volunteer Fire Companies in regard to an agreed boundary change. The map in question was submitted without a narrative. It was moved by Vice Chairman Sharp, seconded by Commissioner Magee to request a narrative to coincide with the map from the companies. Motion carried.

Bethany Beach Update

Mike Lowe reported that he has contacted the committee chairperson and they have not met yet. They have a meeting scheduled for next week to review a power point that Bethany Beach has prepared.

Update on Current Issues

The concerns from Chad Harmon correspondence was discussed, in regard to an ambulance response from a department farther away from the scene, because of boundary assignments. The commission agreed to respond to Mr. Harmon in writing.

Executive Specialist Report

Sherry Lambertson, Executive Specialist submitted a monthly activity report to the commission.

It was moved by Commissioner Magee, seconded by Commissioner Ricker to go into Executive Session. Motion carried. The Commission entered Executive Session at 1:40 p.m.

EXECUTIVE SESSION

It was moved by Commissioner Betts, and seconded by Commissioner Dougherty to go out of Executive Session. Motion carried. The Commission exited the Executive Session at 2:01 p.m.

REGULAR SESSION

ACTION ITEMS

Annual Fire Company Report Package

It was moved by Commissioner Ricker, seconded by Commissioner Magee to authorize Commissioner Betts and Commissioner Magee to put an annual report package together for the volunteer fire companies. Motion carried.

It was moved by Commissioner Ricker, seconded by Commissioner Magee to authorize Fire Marshal Ingle to advertise for the Day Care Inspector. Motion carried.

Pending Legislation

- **HB 149** - Substituted On 05/16/2007

Jun 26, 2007 - HS 1 for HB 149 - Passed by Senate. Votes: 20 YES 0 NO 0 NOT VOTING 1 ABSENT

Jun 21, 2007 - HS 1 for HB 149 - Reported Out of Committee (PUBLIC SAFETY) in Senate with 5 On Its Merits

- **HB 134** - Signed On 06/28/2007

Pending Legislation cont.

- **HB 157** - House Passed On 06/30/2007 11:13:14 PM
Jun 30, 2007 - Passed by House of Representatives. Votes: 41 YES 0 NO 0
NOT VOTING 0 ABSENT
Jun 28, 2007 - Passed by Senate. Votes: 20 YES 0 NO 0 NOT VOTING 1
ABSENT
- **HB 251** - Senate Passed On 07/01/2007 12:09:08 AM

GENERAL INFORMATION

No report at this time.

CORRESPONDENCE

No report at this time.

MISCELLANEOUS INFORMATION

No report at this time.

REPORT OF THE COMMISSIONERS

Chairman Kenneth H. McMahon

Chairman McMahon reported that he attended the Monthly Fire Prevention Commission Meeting, IAFC Hazmat Conference, Special Meeting with Tom Steele, Lunch with Governor Minner, New Castle County Fire Chief's Meeting, NFA to Review Grants, DEMSOC Meeting, Special M.I.S.C. Meeting and State Fire Chief's Meeting.

Vice Chairman Marvin Sharp

Vice Chairman Sharp reported that he attended the Monthly Fire Prevention Commission Meeting and Kent County Fireman's Association Meeting.

DATE OF NEXT MEETING

August 21, 2007, 9:00 AM
Commission Chamber
Delaware Fire Service Center
1463 Chestnut Grove Road
Dover, DE 19904

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ADJOURNMENT

It was moved by Commissioner Ricker, and seconded by Commissioner Magee that the meeting be adjourned. Motion carried. The meeting was adjourned at 2:01 p.m.

Respectfully submitted,

Sherry R. Lambertson
Executive Specialist

sl/