



STATE OF DELAWARE
STATE FIRE PREVENTION COMMISSION
DELAWARE FIRE SERVICE CENTER

(302) 739 - 3160
FAX (302) 739 - 4436

1463 CHESTNUT GROVE ROAD
DOVER, DELAWARE 19904

STATE FIRE PREVENTION COMMISSION

Monthly Meeting

November 20, 2007

MEMBERS PRESENT

Marvin C. Sharp, Chairman
Bob Ricker, Vice Chairman
W. (Bill) Betts, Jr.
Kenneth H. McMahan
Alan Robinson
Douglas S. Murray, Sr.
David J. Roberts

Allison Reardon, Deputy Attorney General
Patrick Mathews, M.D., BLS Medical Director
Robert Newnam, Director, State Fire School
Grover P. Ingle, State Fire Marshal
Sherry Lambertson, Executive Specialist

GUESTS

Richard R. Ward, Assistant State Fire Marshal
R.T. Leicht, SFMO
James L. Cabbage, DVFA
Sandy Hypes, OEMS
Charles Frampton, DVFA

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

REGULAR SESSION

APPROVAL OF OCTOBER 16, 2007 COMMISSION MEETING MINUTES

It was moved by Commissioner Murray, and seconded by Commissioner Roberts that the minutes of the October 16, 2007 Commission meeting be approved as amended. Motion carried.

CALL FOR ADDITIONAL AGENDA ITEMS

Chairman Sharp called for additional agenda items. Commissioner McMahon added Wilmington Fire Department Regulation Discussion. Vice Chairman Ricker added Middleford Speedway and Commissioner Betts added Paid Ambulance Driver. It was moved by Commissioner McMahon, seconded by Commissioner Ricker to approve the agenda as amended. Motion carried.

REPORT OF THE STATE FIRE MARSHAL

Agency's Activity for the month of October is as follows: investigations 49- (criminal 16- /accidental 31- undetermined 2-); arrests 5-; inspections 799- (health care 4-/deputy 224/tech services -328 "QAP-225"); complaints-31; plan reviews 385-; PRUF revenue collected (October) \$125,974 year to date \$616,777; total overtime hours worked 174.5-; time off in hours (Deputies) 390.5 (vacation 184.0- /compensatory leave 55.5- /sick leave 23.5- /holiday 127.5- /compassionate 0.0)

INFORMATIONAL ITEMS

Personnel Issues

Fire Marshal Ingle reported that interviews were conducted for the Fire Protection Specialist I position for New Castle County and he has a recommendation to the Commission for Executive Session.

Personnel Issues cont.

The interviews for the Deputy Fire Marshal I position for Kent County are scheduled for November 27 & 28. Fire Marshal Ingle expects to have a name for recommendation at the January Commission meeting..

Chief Deputy Fire Marshal Randy Lee received recognition from the Town of Laurel as Citizen of the Year. He received this award on November 14, 2007. This was a well deserved award.

Rebekah Legar remains out of work on medical leave. She will know when she can return to work after December 6th.

Crystal Beach, former employee of the Fire Marshal's Office is being promoted to Captain of the United States Air Force on December 1st. The Commission and Fire Marshal's Office congratulate her on her accomplishments and wish her the best.

DFIRS Update

The following fire companies are delinquent in DFIRS requirements. The total state participation in compliance is 84%. Overdue reports by 30 days are 4.9%, 60 days overdue 4.9%, 90 days, 4.9% and 90+ days 1.6%.

- **New Castle County**
 - Belvedere August
 - Wilmington Manor September

- **Kent County**
 - Camden-Wyoming August & September
 - Carlisle July & August
 - Cheswold August
 - Clayton February & July
 - Felton September
 - Harrington July & September
 - Hartly September
 - Magnolia July & August

Hardwired Smoke Detector Update

Fire Marshal Ingle stated that the Hardwired Smoke Detector continues to move along. A report was submitted for review.

False Fire Alarms

Fire Marshal Ingle reported on the false fire alarm activation report statewide. The reporting remains about the same, but it does appear that some better reporting is being done since the office has gone out to work with the companies on programs.

Delmarva Power

Fire Marshal Ingle attended an annual fire prevention program in the City of Wilmington at St. Patrick's Senior Center on October 29th. Delmarva Power distributed fire alarms to the State Fire Marshal Office as well as other agencies. The Fire Marshal's Office received 500 regular smoke alarms and 42 alarms for the hard of hearing. Also 5 applicants for the installation for the hard of hearing were submitted on this day. Fire Marshal Ingle is thankful for Delmarva Powers continued support in this program.

Fire Marshal Forum

Fire Marshal Ingle attended the NFPA Fire Marshal Forum from October 18th to October 21st in Quincy, Massachusetts. It was a very informative forum.

Jurisdictional Fire Marshal's Meeting

Fire Marshal Ingle attended the Jurisdictional Fire Marshal's on Wednesday, October 24th. No major issues were discussed.

Budget Hearing

Fire Marshal Ingle reported that he attended the annual budget hearing and everything seemed to go well. He will be working with the budget office on some of his requests.

Fire Fatality

Fire Marshal Ingle reported on a fire fatality in Smyrna Delaware. The incident remains under investigation.

Perdue Agribusiness, Inc. Appeal

Fire Marshal Ingle presented extensive information regarding the requested Perdue Agribusiness, Inc. Appeal. The Fire Marshal's Office will not oppose their request. Before the meeting today, Perdue Agribusiness agreed to accept the State Fire Marshal's recommendation and asked that the hearing be cancelled.

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

Meetings Attended-

- DVFA President's function in Seaford.
 - Haz. Mat. Conference Meeting
 - Planning Steering Committee at DEMA
 - Trainer – Educator III Duties and Responsibilities
 - Grant Hearing – Port Authority Grant – Senate
 - Facilities – cleaning service contract change
 - EMS Staff – review of EMS program status
 - DEMA Drill – Georgetown
 - Training and Exercise Committee – DEMA
 - DCFSF – at the DSFS
 - Kent county Chiefs – Station 47
 - Annual Budget Hearing
 - ESF Training at DEMA
 - Conducted returning Instructor Training
 - NIMS State committee
 - Division classes – dropped in and reviewed in-service classes
 - Stopped by on Weekends at the Dover Center
 - Office Staff Meeting
-
- NREMT-P card issue policy – No Charge, not issuing a card. During inspections they will only be required to show a NREMT-P card if available.

- SERT Plan revisions – New Castle Chiefs – approved
 - Station 56 EMT-B status –
 - 6 have backgrounds checks completed
 - 6 have completed the required Protocol class
 - 1 has applied for National Registry Test
 - Incomplete applications (6) received from Maryland personnel. Have contracted the EMS Officer of Station 56
- Hazard Trailer – out of service – Company is going out of business.
- EMT-B Certifications that have lapsed
 - Must have 24 hour refresher, protocols, CPR/AED current cards
 - Background check
- Removed request for Risk Watch Position from budget request
- 2008 will be conducting Staff Meetings every other week.
- 2008 will schedule on Staff member to County Chief Meetings
- Personnel Costs Deficit estimate of \$100,000.00
 - Contingency was reduced by \$50,000.00
 - Increase in programs in-service
 - Added the EMT-B class New Castle Division
- Nurse/Doctor – becoming a Delaware EMT-B – Current policy discussion
- Ambulance Inspections – Increased for 2007

Personnel

- Met with Training/Educator – discussed job duties.
- Instructor Beard Policy – instructors/aides may not have facial hair in seal area.
- DHSS – Instructor Letter of Thanks was submitted for Commission review.

Maintenance

- New chairs in classroom 2 and conference room.
- Computer replacement schedule has been completed – total 66 computers.
- Developing design for a Fire Safety-Sprinkler prop on the grounds
- Repairs to the Liquids pad has started

Financial

Tuition Account	(8000) 208,890.00 Balance 144,456.00 A/R
Hazardous Material Account	(8200) 152,727.00 Balance 34,580.00 A/R

Financial cont.

Past Due Billings

30 days past due	\$47,890.20
60 days past due	\$480.00
90 days past due	\$0.00
120 days past due	\$0.00

Action Items

No report at this time.

REPORT OF THE BLS MEDICAL DIRECTOR

Dr. Matthews reported that he attended a meeting set up by Dr. Megargel with Caroline County Officials and the Office of EMS to further discuss border policies. Credentialing was discussed and everyone is in support of this process. They will continue to meet.

Dr. Matthews discussed EDIN report documentation on vital signs. He requested a Query through the Office of EMS and found that EMT-B's are averaging at 80% for Blood pressure, heart rate documentation is about 86% and respiratory at 81%. This is average compliance and we do have room from improvement.

Standing Orders are scheduled to be reviewed in January.

REPORT OF DEPUTY ATTORNEY GENERAL

No report at this time.

ACTION ITEM

Executive Order Ninety-Nine

The Commission in conjunction with Deputy Attorney General Allison Reardon will draft legislation regarding Executive Order Ninety-Nine. It will be ready for review and approval at the December commission meeting.

Brent Humphreys

A certified letter as well as regular delivery letter was sent to Brent Humphreys of Georgetown Vol. Ambulance Service advising him that he is in violation of the State Ambulance Regulations.

Brent Humphreys cont.

He was advised that his certification would be suspended with possible decertification at the next commission meeting. He was offered an opportunity for a hearing if he made a request within ten days of the receipt of the letter. Brent Humphreys never responded to the correspondence, nor did he remedy the violation of the State Ambulance Regulations.

It was moved by Commissioner McMahon, seconded by Vice Chairman Ricker to revoke and decertify Mr. Brent Humphreys EMT-B certification. An order will be presented for signature and the office will process it and notify the fire companies in the state of his decertification. Motion carried by a roll call vote.

Commissioner Alan Robinson – Yes
Commissioner Bill Betts – Yes
Commissioner David Roberts – Yes
Commissioner Kenneth McMahon – Yes
Commissioner Douglas Murray – Yes
Vice Chairman Bob Ricker – Yes
Chairman Marvin Sharp – Yes

Grievance Submission

The commission tabled the submitted grievance to allow proper time for review.

Wilmington Fire Department

Commissioner McMahon discussed correspondence that he received from Wilmington Fire Department requesting temporary licensure while employees are waiting for background checks. Deputy Attorney General stated that the Criminal Background Checks are required by law, so if a temporary licensure was granted it would also have to be by statute.

It was moved by Commissioner McMahon, seconded by Vice Chairman Bob Ricker to disregard and deny the request for temporary licensure for the Wilmington Fire Department. This is not a needed change to the statute. Motion carried.

It was moved by Commissioner McMahon, seconded by Commissioner Roberts to request that the Office of EMS discontinue EDIN use privileges for EMT-B's that do not maintain proper certification. Motion carried.

Middleford Speedway

The commission discussed concerns regarding ambulance coverage on private property in areas such as Middleford Speedway. The Commission has unit equipment and staffing concerns. Deputy Attorney General will review regulations and give the commission guidance at the December meeting.

Transcare Correspondence

The Commission discussed correspondence received from Transcare. A response will be sent to them that it has been turned over to the Commission Deputy Attorney General and BLS Medical Director for review and response.

Paid Private Ambulance Company Drivers

Commissioner Betts reported on concerns that have been submitted to him in regard to employees of questionable status that have been hired as drivers of BLS units. Discussion ensued for informational purposes as food for thought if these individuals should have to meet some requirements to be employed as a driver of a BLS unit.

It was moved by Vice Chairman Ricker, seconded by Commissioner McMahon to go into Executive Session for personnel reasons. Motion carried. The Commission entered Executive Session at 11:07 a.m.

EXECUTIVE SESSION

It was moved by Commissioner Robinson, and seconded by Commissioner Betts to go out of Executive Session. Motion carried. The Commission exited the Executive Session at 11:44 a.m.

REGULAR SESSION

ACTION ITEM

Personnel

It was moved by Commissioner Murray, seconded by Commissioner Roberts to accept Fire Marshal Ingle's recommendation and authorize him to hire John Reedy for the position of Fire Protection Specialist I in New Castle County. Motion carried. Commissioner McMahon recused himself from the voting process.

Perdue Agribusiness, Inc.

It was moved by Vice Chairman Ricker, seconded by Commissioner Murray to approve the recommendation from Fire Marshal Ingle in regard to the appeal of Perdue Agribusiness, Inc. Motion carried.

Crystal Beach

It was moved by Commissioner McMahon, seconded by Vice Chairman Ricker to send a letter to Crystal Beach, congratulating her on being promoted to Captain of the United States Air Force. Motion carried.

RECESS

The commission recessed from regular business from 1:00 p.m. to 2:18 p.m. for the Public Hearing on Part X of the State Fire Prevention Commission Regulations.

REGULAR BUSINESS

It was moved by Commissioner Roberts, seconded by Commissioner Murray to go into Executive Session for personnel reasons. Motion carried. The Commission entered Executive Session at 2:29 p.m.

It was moved by Commissioner Robinson, seconded by Commissioner McMahon to accept the proposed Ambulance Regulation changes as amended. Motion carried.

EXECUTIVE SESSION

It was moved by Commissioner McMahon, and seconded by Commissioner Betts to go out of Executive Session. Motion carried. The Commission exited the Executive Session at 3:29 p.m.

REGULAR SESSION

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 Marvin C. Sharp

Chairman Sharp reported that he attended the Monthly Fire Prevention Commission Meeting, Kent County Fireman's Association Meeting, Delaware Valley Fire Chief's Meeting, DVFA Meeting, Sussex County Fireman's Association Meeting, Fire Advisory Board Meeting, NFA Leadership Class, LADVFA Meeting, Meeting with Bill Bush, SFPC Workshop, Kent County Fire Chief's Meeting, Sussex County Fire Chief's Meeting, DE State Fire Police Association Meeting, Budget Hearing and Meeting with Station 70 Ambulance.

Vice Chairman Bob Ricker

Commissioner Ricker reported that he attended the Monthly Fire Prevention Commission Meeting, Sussex County Chief's Meeting, Meeting with Governor's Staff Attorney, Commissioner Workshop, Sussex County Fireman's Association Meeting, Meeting with OMB, and Meeting with Bethany Beach Fire Company.

Commissioner Kenneth H. McMahan

Chairman McMahan reported that he attended the Monthly Fire Prevention Commission Meeting, Fire Prevention Week Kick off in Seaford, Delaware Valley Chief's Meeting, Commission Orientation Meeting, Sussex County Fireman's Installation Banquet, DEMSOC Meeting, Dedication for New Castle Public Safety Building and Smoke Detector Give away in Wilmington.

Commissioner Douglas S. Murray

Commissioner Murray reported that he attended the Monthly Fire Prevention Commission Meeting, Sussex County Fire Chief's Meeting, DVFA Gathering for President Marvel, Commission Orientation Meeting, Sussex County Fireman's Association Meeting, Meeting with Station 93, Commission Workshop, Meeting with Station 70, Awards Banquet at Station 70 and Sussex Chief's Meeting in Seaford.

SFPC Minutes
November 20, 2007
Page 12

Commissioner David J. Roberts

Commissioner Roberts reported that he attended the Monthly Fire Prevention Commissioner Meeting, New Castle County Fire Advisory Board Meeting, DVFA President Marvel Reception, Commission Orientation Meeting, Sussex County Officer Installation, New Cast County Ambulance Association Meeting, Station 22 Dinner, New Castle County Fire Service Meeting with County Executive, Funeral Service for Member Station 26 in Smyrna, Commission Workshop, New Castle County Fire Police Meeting, New Castle County Fire Advisory Board Meeting, Funeral Service for Station 18 Chiefs Father and New Castle County Fire Prevention Awards at Station 30.

DATE OF NEXT MEETING

December 18, 2007, 9:00 AM
Commission Chamber
Delaware Fire Service Center
1463 Chestnut Grove Road
Dover, DE 19904

ADJOURNMENT

It was moved by Commissioner Roberts, and seconded by Commissioner Robinson that the meeting be adjourned. Motion carried. The meeting was adjourned at 3:34 p.m.

Respectfully submitted,

Sherry R. Lambertson
Executive Specialist

sl/