



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

October 16, 2007

MEMBERS PRESENT

Kenneth H. McMahon, Chairman
Marvin C. Sharp, Vice Chairman
W. (Bill) Betts, Jr.
Bob Ricker
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
Michael Chionchio, Assistant State Fire Marshal
James L. Cabbage, DVFA
Ross Megargel, D.O., OEMS
Ken Pyle, Odessa Fire Co.
Sandy Hypes, OEMS
John P. Rossiter, SFMO
Scott Bundek, Little Creek Vol. Fire Co.

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

REGULAR SESSION

APPROVAL OF SEPTEMBER 18, 2007 COMMISSION MEETING MINUTES

It was moved by Commissioner Ricker, and seconded by Vice Chairman Sharp that the minutes of the September 18, 2007 Commission meeting be approved as amended. Motion carried.

CALL FOR ADDITIONAL AGENDA ITEMS

Chairman McMahon called for additional agenda items. Commissioner Ricker added Georgetown Ambulance Correspondence and DNREC Regulation 1113. Vice Chairman Sharp added Sub Station Regulation. Chairman McMahon added the Tidewater Agreement. It was moved by Commissioner Ricker, seconded by Commissioner Robinson to approve the agenda as amended. Motion carried.

REPORT OF THE STATE FIRE MARSHAL

Agency's Activity for the month of September is as follows: investigations 66- (criminal 28- /accidental 33- undetermined 5-); arrests 11-; inspections 600- (health care 3-/deputy 202/tech services -204 "QAP-191"); complaints-38; plan reviews 363-; PRUF revenue collected (September) \$151,453 year to date \$490,803; total overtime hours worked 117.75-; time off in hours (Deputies) 306.5 (vacation 86.0- /compensatory leave 55.5- /sick leave 30.0- /holiday 127.5- /compassionate 7.5)

INFORMATIONAL ITEMS

Congratulations

Fire Marshal Ingle congratulated Commissioner's Daniel W. Magee and Francis "Doc" J. Dougherty on the outstanding job they did upon completing 12 years of service on the State Fire Prevention Commission. They were always very supportive of the State Fire Marshal's endeavors. The efforts they put forth were appreciated.

Personnel Issues

Fire Marshal Ingle reported that the Fire Protection Specialist I position in New Castle County has been advertised and is now closed. As soon as a list of applicants is received, interviews will be scheduled.

The Deputy Fire Marshal I position for Kent County has been advertised and is now closed. This list may take longer to compile for interviews because background checks are mandated.

DFIRS Update

The following fire companies are delinquent in DFIRS requirements. The total state participation in compliance is 79%. Overdue reports by 30 days are 9.8%, 60 days overdue 6.5%, 90 days, 4.9% and 90+ days 0%.

- **New Castle County**
 - Belvedere August
 - Holloway Terrace August

- **Kent County**
 - Camden-Wyoming August
 - Carlisle July & August
 - Cheswold June – August
 - Citizens’s Hose August
 - Felton June - August
 - Harrington July & August
 - Little Creek August
 - Magnolia July & August

- **Sussex County**
 - Blades July & August
 - Delmar August
 - Georgetown June - August

Hardwired Smoke Detector Update

Fire Marshal Ingle stated that the report remains at status quo on the Hardwired Smoke Detector program. The State Fire Marshal’s Office has provided each fire company with a Smoke Detector door to door campaign resource kit. The kit includes information on the smoke detector law, the hardwired smoke detector program, Wake-Up Delaware program, and sample media releases.

Hardwired Smoke Detector Update cont.

If any fire Company is interested in conducting a door-to-door campaign they can contact Assistant State Fire Marshal Mike Chionchio in the Dover office who can provide assistance with setting up the program.

False Fire Alarms

Fire Marshal Ingle reported on the false fire alarm activation report statewide. Year To Date, 970 warnings have been issued out of 970 alarm activations. 42 Fines have been issued at an amount of \$5,400. The number of true alarms reported is 135 for the year.

Delmarva Power

Fire Marshal Ingle reported that Delmarva Power will hold its annual fire prevention event at St. Patrick's Senior Center in Wilmington on October 29th at 10:00 a.m.. They will distribute fire alarms to the State Fire Marshal Office as well as other agencies.

Town of Milton

Fire Marshal Ingle reported that his office has received plans from the Town of Milton. His office is in the process of getting a timetable set up for them to meet required actions.

Fire Marshal Forum

Fire Marshal Ingle will attend the NFPA Fire Marshal Forum from October 18th to October 21st in Quincy, Massachusetts. Assistant State Fire Marshal Chionchio will be in charge of the agency during the Fire Marshal's absence.

Jurisdictional Fire Marshal's Meeting

Wednesday, October 24th is the next scheduled Jurisdictional Fire Marshal's Meeting. The meeting will be held at the New Castle County Office at 10:00 a.m.

Annual Report

Fire Marshal Ingle presented the commission with a copy of the Annual Report.

Comcast Interview – Fire Prevention Tips

Fire Marshal Ingle was on a 5 minute Comcast News Segment on Fire Prevention Safety Tips. He has been invited to return anytime that he wishes. He plans to make periodic appearance's to discuss fire safety methods around the holidays.

WBOC

Fire Marshal Ingle did an interview with WBOC on the regulations regarding Haunted Houses.

Awards

John Lattamus was awarded the New Castle County Non-Heroic Firefighter of the Year. Christiana Fire Company nominated Mr. Lattamus for this award in recognition of all his years of service dedicated to fire prevention and juvenile intervention. This nomination was presented for all of his years of service dedicated towards fire prevention.

Fire Marshal Ingle thanked the Commission for recognizing his Juvenile Intervention Staff "Fire Education Arson Resistance (F.E.A.R.) program through the Governor's Fire Safety Conference for all of their hard work implementing the program.

Harry A. Gravell

A request of information under the Freedom of Information Act has been made by Harry A. Gravell of the State Fire Marshal Office. This request has been acknowledged and a response will be submitted.

Fire Prevention Commission Regulation Status

Fire Marshal Ingle reported that no major changes will be forth coming on the State Fire Prevention Commission Regulations this year from his office.

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

- Increase in Vehicle Rescue car expenses. Vehicles have increased from \$95.00 to \$125.00 per car.

- Budget Information was submitted for the commission's review.
- The Fire School Annual Report was submitted to the commission for review. A copy was delivered to State Personnel and is on the Fire School Web site.
- Update on Station 56 EMT-B status – Director Newnam has requested that Station 56 have request completed by November 1st. They now have 6 Marydel members registered to take the National Registry Test and background checks are completed.
- Meetings/Events
 - SERC Meeting
 - Statewide Communications
 - NAFTD Conference – Portsmouth, NH
 - Mid-Atlantic Fire Commissioners Conference – Hampton, VA
 - Proclamation Signing – Seaford
 - Working Group – DEMA
 - Fire Safety Dinner
- Fire Officer I class – Introduction with 30 in attendance
- Basic Firefighting Skills – Introduction with 180 in attendance.
- Conducted SERT plan workshop – video – conference. Twelve fire chief's attended this workshop.
- Request from Emergency Education Associates to partnership with the school on EMS Training. This is under review.
- Director Newnam made the commission aware that one of the commissioner's has approached him about continuing to teach at the school.

Personnel

- Director Newnam will present a name for the Maintenance Mechanic III position under executive session.
- Instructor complaint of a Staff Member is under investigation.

Personnel cont.

- Appeal of pay denial for class attended – Staff member – under review.
- Job Description discussion for the Trainer Educator III position for executive session.

Staff Activities

- Fire Prevention Activities.
- Risk Watch report was submitted to commission.
- CISM Team Meeting was attended by Bill Walton.
- Fit Testing is being conducted in stations – increasing.
- Duplicating of DVD's of Memorial Service Program.
- National Foam to give Staff presentation on October 15th.

Staff Activities cont.

- Instructor Evaluations are continuing this fall.
- Continuing to update Company membership lists – Office Staff
- In-Service classes are above normal for this fall training season.

Programs/Courses

- Leadership – 47 attended – improved on day 2. Director Newnam did not feel that the NFPA Instructor did very well on the first day.
- Fire Officer I – 30 attended
- EMT-B – 88 attended
 - New Castle – 34
 - Kent – 22
 - Sussex – 32
- NOTE: Two additional EMT-B programs have been added to the schedule. They will be scheduled on a weekend in Dover and during the Summer.
- Conducting Firefighter I/II Review classes in-service – Stations 45-21
- Have been re-accredited as a CPR, AHA training center.
- Returning Instructor's course scheduled for Nov. – 8 Past Instructors.
- Student attendance for Fall Programs is above normal.

Maintenance

- Contract concrete repair to liquid pad signed. Work expected to be completed in November.

Financial

Tuition Account	(8000) 232,358.00	Balance 49,147.00	A/R
Hazardous Material Account	(8200) 139,963.00	Balance 15,100.00	A/R
Past Due Billings			
30 days past due	\$400.00		
60 days past due	\$0.00		
90 days past due	\$0.00		
120 days past due	\$0.00		

Action Items

No report at this time.

Scheduled Activities

- Director Newnam will be out of state from October 25th to October 26th, November 1st & 2nd.

REPORT OF DEPUTY ATTORNEY GENERAL

No report at this time.

REPORT OF THE EXECUTIVE SPECIALIST

- Advertise and Publish Public Hearing for Proposed Regulation changes to Part X of the State Fire Prevention Commission Regulations.
- Attended State Ambulance Association Installation Banquet.
- Coordinated and Attended M.I.S.C. Meeting. Recorded minutes and dispersed to committee.
- Coordinated and Attended and the Fire Prevention Week Proclamation Signing Ceremony in Seaford, Delaware. Assisted by Ronnie Marvel and the Seaford Fire Company. Governor Ruth Ann Minner and Lt. Governor John C. Carney were both present for the signing.

Report of the Executive Specialist cont.

- Attended D.V.F.A. Luncheon.
- Attended meeting regarding Executive Order Ninety-Nine.
- Wrote speech's necessary for gatherings and conferences.
- Met all correspondence requirements from previous Fire Prevention Commission Meeting.
- Delivered Executive Order Ninety-Nine to Governor's Office and required recipients.
- Attended Mid-Atlantic Association of Fire Commissioner's in Hampton Virginia from September 27th – 30th.
- Conference Call with Keynote Speaker of Governor's Conference.
- Prepared and submitted Expenditure Report for September to the Office of Management and Budget.
- Prepared and submitted Press Releases for Governor's Conference and Proclamation Signing.
- Meeting with Dave Bonar to discuss Public Service Announcement.
- Coordinate travel of commissioners.
- Coordinate needed duties for in coming Commissioner with Governor's Office.
- Prepared and processed monthly payable and receivables for the agency.

ACTION ITEM

BLS Medical Director

Dr. Patrick Mathews reported that he attended the University of Delaware Home Coming game with approximately 35,000 in attendance. He was very impressed with the ambulance coverage visible on scene.

BLS Medical Director

Dr. Matthews will attend a meeting set up by Dr. Megargel with Caroline County Officials and the Office of EMS to further discuss border policies.

The Office of EMS will be reviewing the Standing Orders by the first of 2008. Glucometers will be discussed at that time.

The Office of EMS is exploring the use of some of the haemostatic gauze/wound/hemorrhage control agents that are reportedly used by the military. They are marketed as a quick clot device. It is pre-medicated gauze.

Chairman McMahon asked if it is a law for an ambulance to be on standby at a high school game. No law exists to require an ambulance to be on sight. Most schools today have trainers or contracted orthopedic surgeons to be on sight to provide on field care. It is also based on what the schools insurance carrier requires of them, but it is not a law.

Executive Order Ninety-Nine

Governor Minner has approved the State Fire Prevention Commission report submitted to her in regard to Executive Order Ninety-Nine. She has asked for the commission to move forward with legislation and regulation. Commission Attorney Allison Reardon will move forward with developing the legislation.

House Bill 251

Several questions have been submitted in regard to House Bill 251 such as: Can an existing membership be revoked for crimes committed? Are Ladies Auxiliary and Junior Members required to sign the affidavit?

Commission Attorney Allison Reardon stated that each company should consult with their private attorney with questions about specific members and revoking membership. House Bill 251 refers to initial applicants for membership. House Bill 251 does address revocation of membership for an existing member who commits a crime. This should be covered under fire company by-laws and with the consultation of a private attorney. Legal language that follows along the lines of an ambulance decertification process would need to be included in the statute to require removal of an existing member who commits a serious offense that should keep them from interacting with the public.

House Bill 251 – Affidavit was written around new members coming into company membership, not existing members. The Affidavits will be held within the fire company records.

House Bill 251 cont.

The State Fire Prevention Commission will not know if companies are complying because there are no reporting requirements. The Commission will be informed through the hearing process on a complaint basis.

If a Ladies Auxiliary Member falls under the bylaws and regulations of the membership they will be required to sign the affidavit.

Junior Members are required to sign the affidavit. A minor is recognized by the courts at the age of twelve. You have to be able to understand the consequences of taking an oath.

House Bill 251 will be an agenda item of discussion at a scheduled workshop to be held by the commission in November. A notification of guidelines will be sent to every fire company.

Georgetown Ambulance Correspondence

After reviewing correspondence from Georgetown Ambulance the commission agreed to send a certified letter to the EMT-B's not complying with the EDIN reporting system employed by American Legion 93.

Deputy Attorney General Reardon reported that the State Fire Prevention Commission has authority through Part X 7 F – Reports are required and failure to comply with data submission will result in loss of ambulance provider license or attendant certification.

It was moved by Commissioner Ricker, seconded by Commissioner Betts to send a certified letter to Stephen and Brent Humphreys of Georgetown Vol. Ambulance Service advising them that they are in violation of the State Ambulance Regulations. We will be suspending their certification with possible decertification at the next commission meeting. They will be offered an opportunity for a hearing if they make a request within ten days of the receipt of the letter. Motion carried.

It was moved by Commissioner Murray, seconded by Commissioner Roberts to amend the former motion to read five days of the receipt of letter to complete the reports or they will be suspended. Motion carried.

Ambulance Inspections

The commission discussed the current procedures for ambulance inspections within the state. These inspections are conducted by employees of the State Fire School that act from direction for the commission.

Director Newnam as well as Commissioner Ricker does not feel that it is in the best interest of the school to have the same person conducting classes also do ambulance inspections. Commissioner Ricker would like to see research some other way to remove that burden from the Fire School. It was agreed to discuss this at length in the commission workshop.

Review Priorities

The commission discussed agency priorities for Capital Projects, Personnel and Dollars for Current Year Budget. Develop a legislative agenda for the upcoming year. This will be added to the workshop agenda.

DNREC Regulation 1113

Commissioner Ricker met with Valerie Woodruff of DNREC to discuss an application process for regulation 1113 for the purpose of instructional burning. He submitted a Draft application for review. Another meeting will be scheduled for the purpose of mutually agreeing between the agencies and move forward with the application process.

Substation Regulation

Ken Pyle of the DVFA Substation Regulation Committee reported that they will present recommendations to the commission by the November 20, 2007 meeting.

Tidewater Agreement

It was moved by Commissioner Ricker, seconded by Commissioner Betts to approve the settlement agreement with Tidewater Utilities. Motion carried.

It was moved by Commissioner Betts, seconded by Commissioner Ricker to go into Executive Session. Motion carried. The Commission entered Executive Session at 11:12 a.m.

EXECUTIVE SESSION

It was moved by Commissioner Ricker, and seconded by Commissioner Murray to go out of Executive Session. Motion carried. The Commission exited the Executive Session at 12:10 p.m.

REGULAR SESSION

ACTION ITEM

Personnel

It was moved by Commissioner Betts, seconded by Commissioner Ricker to authorize Director Newnam to hire Tom Fason as a Maintenance Mechanic III. Motion carried.

Annual Election of Chairman and Vice Chairman

Chairman McMahon called for nominations for Chairman of the Commission. Chairman McMahon nominated Vice Chairman Sharp for Chairman. Chairman McMahon moved to close the nominations for Chairman, seconded by Commissioner Ricker. Motion carried unanimously. Vice Chairman Sharp was appointed as Chairman of the Commission.

Annual Election of Chairman and Vice Chairman cont.

Chairman McMahon called for nominations for Vice Chairman of the Commission. Commissioner Betts nominated Commissioner Bob Ricker for Vice Chairman. Chairman McMahon moved to close the nominations for Vice Chairman, seconded by Commissioner Roberts. Motion carried unanimously. Commissioner Bob Ricker was appointed as Vice Chairman of the Commission.

Fire Police

Chairman Sharp has been informed that some Fire Police have been attempting to carry weapons. The Commission will support the Delaware State Fire Police by-law change that the Fire Police cannot carry a weapon openly as part of their uniform.

It was moved by Commissioner Robinson, seconded by Commissioner Roberts to send a letter to support the Delaware State Fire Police by-law change. Motion carried.

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. McMahan

Chairman McMahan reported that he attended the Monthly Fire Prevention Commission Meeting, Children's Fire Safety Foundation Meeting, Budget Target Meeting, New Castle County Fireman's Meeting, Seminar at Dover Sheraton for Conference, Meeting at Sheraton for Conference, DVFA Conference, Meeting with DVFA, DEMSOC Meeting and Mid-Atlantic Association Conference for Fire Commissioner's in Hampton, Virginia.

Commissioner Bob Ricker

Commissioner Ricker reported that he attended the Monthly Fire Prevention Commission Meeting, Proclamation Signing Ceremony and Governor's Fire Safety Conference.

Commissioner Bill Betts

Commissioner Betts reported that he attended the Monthly Fire Prevention Commission Meeting, Kent County Fire Chief's Meeting, Governor's Fire Safety Conference and DVFA Meeting.

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DATE OF NEXT MEETING

November 20, 2007, 9:00 AM
Commission Chamber
Delaware Fire Service Center
1463 Chestnut Grove Road
Dover, DE 19904

ADJOURNMENT

It was moved by Commissioner Robinson, and seconded by Commissioner Betts that the meeting be adjourned. Motion carried. The meeting was adjourned at 12:10 p.m.

Respectfully submitted,

Sherry R. Lambertson
Executive Specialist

sl/