

WAKE COUNTY FIRE COMMISSION

Thursday, November 17, 2011

Draft Minutes

(Audio Replays of the meeting are available upon request)

A meeting of the Wake County Fire Commission was held on Thursday, November 17, 2011, 7:00 PM, in the Wake County EMS Training Facility, Cary Drive, Raleigh, North Carolina.

CALL MEETING TO ORDER

Commission Chair Lucius Jones called the meeting to order.

The following members were present: Chief Tony Mauldin, Chief A.C. Rich, Chief David Cates, Chief Rodney Privette, Lee Price, Ms. Barbara Poole, Mr. Billy Myrick, Mr. Robert Stagg, Mr. Michael Denning, and Mr. Keith Gregory.

The following County officials and staff were present: County Manager David Cooke, Deputy County Manager Joe Durham, Budget and Policy Analyst Chad Balke, Budget and Policy Analyst Jason Horton, Fire and Emergency Management EM Coordinator Josh Creighton, and Fire and Emergency Management Business Officer Demetric Potts.

Mr. Billy Myrick gave an invocation.

MINUTES

Upon motion of Mr. Bob Stagg and second by Mr. Billy Myrick, the Fire Commission unanimously approved minutes of the September 22, 2011, Regular Meeting.

The agenda was approved as submitted.

REGULAR AGENDA

CONSIDER APPROVAL OF CALENDAR YEAR 2012 MEETING DATES

Demetric Potts informed the Fire Commission members that in their packet there was meeting dates for Calendar Year 2012 and what we are asking the Commission to do tonight is to make a motion to adopt these meeting dates as listed or make recommendations for changes as you see fit. By consensus the Fire Commission adopted the Calendar Year 2012 meeting dates as submitted.

APPARATUS COMMITTEE REPORT

Chief Woods reported that the one item that the Commission had as an attachment was the proposal for FY 13/14 apparatus replacement, which obviously could be subject to change. On the Administrative type vehicles it would be dependent upon the mileage and the shape of the vehicle after we get our mileage report back, and on the larger vehicles for municipalities it depends on whether or not they get financing, and after we complete talking with the Chief's to determine whether or not their vehicles gets replaced. As it stands right now for FY 13/14 what you have before you is our replacement schedule.

EQUIPMENT COMMITTEE

Turnout Gear - Captain David Price stated that he wanted to bring the Commission up to date on where we stood on our turnout gear. He stated that through collaboration with some other agencies we are actually going to be able to incorporate with our turnout gear purchase this year not only our standard municipal partners the City of Raleigh and the Town of Cary as well as Wake County, we have also been able to leverage the buying power of the Town of Chapel Hill, the City of Concord, the City of Fayetteville and the RDU Airport Authority.

We will be able to go out to bid on over 500 sets of turnout gear this time around which we hope will substantially reduce the cost we are currently paying for gear. It will be one of the largest bids on the east coast; it will be either second or third to New York City's purchase which will be nearly 3,000 sets a year. So we are hoping that those prices when we get that back will reflect that buying power. We wanted to give you an update; it has taken a little bit longer than we had anticipated in getting all those agencies together and getting the one spec that we all could agree upon took some time. Hopefully that will go out for bid starting not tomorrow, but the following Friday. The Town of Cary will actually bid that out for us this year. Captain Price stated that Wake County typically purchases 200 sets per year, which is our standard replacement. Captain Price stated that with the collaborative buying power we are hoping to save between \$200 and \$300 per set.

When asked how they determined the replacement of turnout gear Captain Price stated that it was a combination of things. First it is the age of the gear; also it's the condition the gear is in. NFPA says that gear has to be replaced every ten years. That is really contingent upon the condition of the gear. We work with each individual department to determine their needs, we send out surveys on a regular basis to determine if they have any special cases that have to be replaced on an unusual basis, but we come up with an annual replacement schedule every year.

SCBA Units for Fairview Fire Department – Captain Price provided the following summary for the Replacement of SCBA unites for Fairview Fire Department:

- As part of the FY12 Budget Process, Fairview had requested funds for the replacement of their SCBA units
- Since 2006, 27 of their 36 units have had 59 documented failures both during training and actual incidents

- Failures include: not getting air when you breathe in, not being able to exhale while using the SCBA and PASS devices not coming on, not activating or activating when the unit is off
- These failures have caused delays in fire attacks and occurred with firefighters in house fires and other dangerous atmospheres
- Since 2003, the department has spent more than \$18,800 dollars on repairs
- SCBA units continue to fail on almost every use
- This same brand and model of SCBA was a major contributing factor in a Firefighter Line of Duty Death in 2002 in St. Louis Missouri as well as two other deaths that are still in court
- In the FY12 Budget process, the Budget Committee agreed that SCBA replacement is important and placed \$300,000 in the budget specifically for that purpose
- In an effort to save money, Fairview has applied for Assistance to Firefighters Grants on 3 occasions and has not been successful.
- Fairview has evaluated SCBA units from MSA, Scott, Viking and Interspiro and chosen Scott. This is consistent with many other departments in the county
- Fairview has obtained bids and the lowest is \$234,422.
- Fairview is requesting \$204,422 from the Capital Budget and the Department will fund the remaining \$30,000 from fund balance
- If approved, this request would defer their replacement of SCBA cylinders until 2027, thus saving approximately \$42,700
- Fairview has been notified that a price increase will occur beginning in January 2012
- The Equipment Committee supports this action
- The Equipment Committee's plan is to conduct a survey of all department's SCBA units to determine brands, age and serviceability
- From that we will develop a replacement plan to address department's SCBA replacement needs now and in the future

Upon motion of Mr. Bob Stagg and second by Chief Tony Mauldin, the Fire Commission unanimously approved allocating \$204,422 to go with \$30,000 from the Fairview Fire Department Fund Balance for the purchase of SCBA's for Fairview Fire Department.

INFORMATION AGENDA

FIRE TAX FINANCIAL REPORT

Mr. Jason Horton reported that about October / November is a low point for when we see revenues to start coming into the Fire Tax District. Beginning in November we start to receive property tax revenues from the unincorporated areas and the Town of Wendell. Between the report that you are receiving now and the report that you received last week, and the next report you are going to see tax revenues increase significantly. Jason stated that where the revenues are right now are consistent with prior years and there are no issues that he wanted to point out right now. Jason reported that as those revenues come in we will initiate some expenditures that were approved with the budget such as transfer some of the big dollar expenditures that have not been posted to date.

Jason stated that there were no issues on the operating side, but there were a couple things that he wanted to point out. He reported that related to the last action that the Commission took, the Fire Tax has budgeted \$300,000 for the replacement of SCBA's. With the action that the Commission just made there will be some remaining funds left over. Whether or not those funds are used this year or next year depending upon approval that is where those funds are budgeted so the Fire Tax will have funding available for those replacements.

Jason stated that there was one other difference on the capital side since the last report. During October the Wake County Board of Commissioners appropriated approximately \$250,000 for some planning and design money for the Bay Leaf reconstruction project. Jason reported that we have put a minimal amount of money into that project so far to further the planning and design of that project. Jason concluded by stating that there were no other actions that he needed to report.

Jason took a moment to introduce Chad Balke. Jason informed that Fire Commission that Chad would be the new Budget and Management Analyst for the Fire Tax District. Jason reported that Chad was an experienced Budget Analyst who had worked previously in Forsyth County for five (5) years.

WAKE COUNTY FIRE COMMISSION RULES OF PROCEDURES

Demetric Potts stated that back in May the Fire Commission requested that staff contact the County Attorney to provide an interpretation of the Wake County Fire Commission Rules of Procedures where it pertains to when a standing committee Chair would vote. Demetric informed the Fire Commission that Scott Warren the County Attorney had reviewed the procedures and in your packet they had a copy of the revised rules from 2008, and on page 8 section C bullet two it states that the Chair of a standing committee will only cast a vote if there exist a tie. It was the opinion of the County Attorney that the language answers the question of when a Chair of a standing would cast a vote. Since that time Commission member Mr. Stagg had requested some interpretation on some additional issues in the Rules of Procedures. Included in your packet you have a copy of the questions that were presented to the County Attorney, and along with that you have the response from the County Attorney. Demetric stated that the information was in the packet for informational purposes or if the Commission so chooses we could discuss those items.

Commission Chair Lucius Jones asked; when was the last time this was revised. Demetric replied September 2008. Commission Chair Jones stated that it would probably be a wise move to have a committee go through these procedures and possibly review them and if there are updates and changes that need to be made in it, to bring them back to the Fire Commission for their approval. Chair Jones stated that there may not be any changes, but there are some things in it from reading through it himself he questioned. Certainly a couple things, one, the chairman of a committee, he really questions why a chairman of a committee doesn't have an opportunity to vote. He stated that may be something that you would want the committee or board to change or it may not be, but that was something that he felt probably needs to be looked at. He also stated that there have been some questions about the procedures as to why they are done that way, there could be good reason but at the same time he would like to see a committee take the

time to go through it and if they have some recommendations to bring those back to the Fire Commission at a later meeting.

Mr. Myrick stated that from his reading of the Rules of Procedures they were not abiding by the terms standard. Also, he stated that he had concerns that the fire service members had alternates and the citizen members did not have alternates. He felt that equal consideration of alternates needs to be reviewed.

Mr. Stagg stated that some of the phraseology was a little confusing to him. He stated that the questions he had was that although the Rules had been reviewed he didn't know from the response from the County Attorney if there was any legal review or if there was any precedence where any legal review was required. He also, stated that he wasn't sure if the rules were in conflict with the County rules or if they should have these rules at all. Mr. Stagg felt that some thought should be given to whether we should have these rules and if we do they should be reviewed by the County Attorney so they can stand the test if in chance either a department or an individual decides to challenge the functions and duties of the Commission legally.

Commission Chair Lucius Jones appointed the following ad hoc committee members to review the Fire Commission Rules of Procedures, and to come back to the Fire Commission with recommendations. The following were appointed to the committee: Billy Myrick, Bob Stagg, Chief Rodney Privette, Barbara Poole, and Chief A.C. Rich.

Demetric reported to the Fire Commission members that there was a listing of the current committee members in their packet as requested.

POST INCIDENT REVIEW TRAINING CLASS

Demetric Potts stated that for informational purposes he wanted to let the Fire Commission members know that on December 6, 2011 we were going to have the class for training in Post Incident Review and we were encouraging all the fire departments to send at least one representative from their respective departments to participate.

Chief Tony Mauldin reported that he thinks Fuquay-Varina was one of the first departments to have one of these Post Incident Reviews done and he has been a supporter of this process from day one. He stated that he felt that the review went very well. Ricky Dorsey was the one who conducted their Post Incident Review at the department, and they invited every agency that was involved in the incident in which they had the fatality and it went very well. Chief Mauldin says that he is excited about getting the training done and getting more people out there, and he appreciates the county staff for helping put this together.

CHAIR REPORT

No report.

Chief Mauldin stated that he had something that he would like to be considered. As Demetric just talked about our committees we have, sub-committees of the Fire Commission, there are

several of our committees that currently do not have Chair positions filled, such as the Facilities Committee, Staffing Committee, and the Budget Committee. Chief Mauldin stated that he would like to make a recommendation to Chair Jones to get those positions filled because some of those committees need to start meeting.

Chair Lucius Jones stated that he had filled the vacant positions and he would forward that information on to Demetric Potts after the meeting.

FIRE AND EMERGENCY MANAGEMENT DIRECTOR REPORT

No report.

OTHER BUSINESS

No other business.

PUBLIC COMMENTS

Chief A.C. Rich stated that the North Region Chiefs meet prior to the Fire Commission meeting and they got into a discussion about health and wellness of their members. He reported that it is a concern, and believes that it is important to the vitality of the organization. Chief Rich stated that the members are essentially our volunteer members, our paid employees whether full-time or part-time. Chief Rich proceeded to read the proposal verbatim and the document is incorporated into these minutes as an attachment. Chief Rich stated that he believes that this is an initiative that the Fire Commission may need to consider, it may not be completely appropriate for this upcoming budget year, but it could be something communicated to the Budget Committee perhaps to look at. Chief Rich stated that they as a group of Fire Chiefs wanted to convey that to the Fire Commission and to their fellow fire departments and Fire Chiefs that were here. They believe that this is a very worthwhile pastime. Chief Rich stated that he wanted to recognize Chief Pope for a second to give examples of the benefits of this.

Chief Pope stated that this was a new initiative that they had started three weeks ago. They had 53 members participate in a medical evaluation. Due to that medical evaluation one of their members just came out of the hospital after having triple by-pass surgery. Chief Pope stated that the \$262 that they invested in that member definitely saved his life.

It was reported that this initiative cost Bay Leaf Fire Department \$262 per member. Chief Rich stated that this depends on what you would look at doing; this would be something that a committee would actually have to probably investigate to make a recommendation as far as cost. Chief Rich further stated that they have been doing this at Stony Hill Fire Department for about 7 seven years. They have roughly identified about 3 to 4 members with cardiac conditions that they did not know about. Chief Rich stated that this does not subsidize their normal healthcare; this just gives them a physical screen that mirrors NFPA standards, but directly mirrors OSHA regulations. They are looking more at examination rather evaluation to wear a respirator because of the stresses involved.

Mr. Stagg asked Chief Rich if there was a standard physical evaluation form that all measured that way. Chief Rich responded yes. He stated that there are various ways to look at it, whether you look at the OSHA requirements or if you are trying to completely meet the NFPA requirements. Chief Rich stated that regardless to him OSHA requirements has to be met for the employees, but naturally the volunteer for going through that; it is a member benefit that has proven itself by indicating and identifying issues a member may have. Chief Rich stated that he thinks that this is something that the Budget Committee should look at and maybe as a consideration for this year to look and evaluate even for the cost share with the municipal departments as well as the 100% funded rural departments.

It was reported that there were approximately 800 paid and volunteer members that could potentially benefit from this initiative depending on what is decided. If it is decided that this is a supplement to an organization to perform a physical assessment on all members it would include paid and volunteer. It would be a determination on how much should be considered for this initiative. Chief Rich further stated that he believes that this is a worthwhile initiative that we have not explored at this level; he applauds the North Region Chiefs for the discussion and the initiation of the discussion because he thinks it has value and it should be made a priority.

Mr. Billy Myrick stated consideration should also be given to not paying for volunteers that are on rosters that that have not responded to a call. Chair Lucius Jones wanted to know how many Chiefs were in support of this type of initiative and wanted to pursue this, and he suggested that they send out some type of questionnaire to determine how many Chiefs wanted to participate or feel like that what they are doing in not adequate. Chair Jones stated that he felt that would be a good start. Chief Rich stated that as a Fire Commission member he would be glad to survey the Chiefs to find that out.

Mr. Billy Myrick requested that County Manager David Cooke update the Fire Commission on the status of Eastern Wake Fire Department. Mr. Cooke stated that the 90 day clock would have run its course by the end of November so we were concerned and wanted to make sure that they got a response. He stated that he thinks that we are going to have a resolution with Eastern Wake Fire Department, and it is along the lines of, I think everyone is aware that the Board of County Commissioners will directly appoint some of those Board members and that we will jointly appoint a Financial Trustee that will essentially be in place for a set period of time, again all geared towards making sure the financial accountability is there from the standpoint that the County is comfortable.

Chief Ed Brinson stated that he wanted to thank the Fire Commission for their support in the purchasing of the new air packs for his department. He stated that their actions here tonight had greatly enhanced the safety of our fire fighters. Secondly, he stated that he wanted to congratulate Chief A.C. Rich for his appointment as a Board of Director member to the Piedmont N.C. Fire Fighters Association, which is a regional association for N.C. In his pathway as a Director he will eventually move up to the state level to even the N.C. Association of Fire Chiefs of the N.C. State Fireman's Association. And third, Chief Brinson Requested that Fire Commission member Judge Michael Denning be introduced to those in attendance.

ADJOURNMENT

Being no further business, the meeting was adjourned



Wake County – North Region Chiefs

Wake County Fire Services – Health and Wellness Program Initiative

Proposal:

The North Region Chiefs agree and acclaim that the Health and Wellness of its fire department members is a priority and essential for the vitality of all Wake County Fire Departments.

Therefore we request the Wake County Fire Commission's acknowledgement and funding support consideration for annual member physical evaluations of contracting fire departments.

Standards Reference:

NFPA 1982 – "Standard on Comprehensive Occupational Medical Program for Fire Departments"

- 1.2: "The purpose of this standard is to outline an occupational medical program that, when implemented in a fire department, will reduce the risk and burden of fire service occupational morbidity and mortality while improving the health, and thus the safety and effectiveness, of fire fighters operating to protect civilian life and property."
- 6.1: "A medical evaluation of a candidate shall be conducted prior to the candidate being placed in training programs or fire department emergency response activities."

Regulatory Reference:

29 CFR 1910.134 "Respiratory Protection Standard"

(e) *Medical evaluation.* Using a respirator may place a physiological burden on employees that varies with the type of respirator worn, the job and workplace conditions in which the respirator is used, and the medical status of the employee. Accordingly, this paragraph specifies the minimum requirements for medical evaluation that employers must implement to determine the employee's ability to use a respirator.

(1) *General.* The employer shall provide a medical evaluation to determine the employee's ability to use a respirator, before the employee is fit tested or required to use the respirator in the workplace. The employer may discontinue an employee's medical evaluations when the employee is no longer required to use a respirator.