



STATE OF DELAWARE
STATE FIRE PREVENTION COMMISSION
DELAWARE FIRE SERVICE CENTER

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1463 CHESTNUT GROVE ROAD
DOVER, DELAWARE 19904

STATE FIRE PREVENTION COMMISSION

Monthly Meeting

June 19, 2007

MEMBERS PRESENT

Kenneth H. McMahon, Chairman
Marvin C. Sharp, Vice Chairman
Daniel W. Magee
Francis J. Dougherty
Bob Ricker

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
Ross Megargel, D.O., OEMS
James L. Cabbage, DVFA
Alan Robinson, Jr., DVFA
Richard Parrett, Bethany Beach Fire Co.

CALL TO ORDER

Chairman McMahon called the meeting to order at 9:15 a.m.

PLEDGE OF ALLEGIANCE

REGULAR SESSION

APPROVAL OF MAY 15, 2007 COMMISSION MEETING MINUTES

It was moved by Vice Chairman Sharp, and seconded by Commissioner Dougherty that the minutes of the May 15, 2007 Commission meeting be approved as amended. Motion carried. Commissioner Magee abstained from voting.

CALL FOR ADDITIONAL AGENDA ITEMS

Chairman McMahon called for additional agenda items. Commissioner Magee added Governor's Luncheon Discussion, Representative Ennis House Bill and Executive Specialist Report to the agenda. Commissioner Ricker added Sussex County Emergency Operation Center mail to the agenda. It was moved by Commissioner Magee, seconded by Commissioner Dougherty to approve the agenda as amended. Motion carried.

REPORT OF THE STATE FIRE MARSHAL

Agency's Activity for the month of May is as follows: investigations 88- (criminal 39- /accidental 41- undetermined 8-); arrests 12-; inspections 890- (health care 11- /deputy 207/tech services -334 "QAP-348"); complaints-31; plan reviews 525-; PRUF revenue collected (May) \$179,783 year to date \$1,761,195; total overtime hours worked 251.0-; time off in hours (Deputies) 492.0 (vacation 240.0- /compensatory leave 41.0- /sick leave 240.0- /holiday 135.0- /compassionate 0.0)

INFORMATIONAL ITEMS

Thank you

Fire Marshal Ingle thanked the Commission for showing their confidence in him by appointment him as the State Fire Marshal. He assured the Commission that he will carry out the duties of the office to the best of his ability and looks forward to it.

Personnel Issues

Fire Marshal Ingle reported that because of his appointment, a vacancy now exists for the position of Assistant State Fire Marshal, (Deputy Fire Marshal V). He would like permission to post the position in-house and begin the interview process.

Fire Protection Specialist I (Kent and Sussex County) – A list was received from the Office of Management and Budget. Interviews have taken place and Fire Marshal Ingle has a name to present for hire.

Fire Inspector (Day Care Inspector) – Alan Moore will be retiring as of June 29, 2007. This leaves a vacancy that will be difficult to fill. The Deputy Fire Marshal staff and Technical Services staff will pick up the slack until the position can be replaced. Fire Marshal Ingle requested permission to advertise for this position. He would like to open the position on a competitive basis.

Michael Spadea returned to work on June 1st, after an unrelated work injury.

Part-time Casual Seasonal Personnel – Robin Alexander, Receptionist in Dover resigned effective June 8th. She will be missed. The Administrative staff will fill in until a replacement can be found. Michael Horgan, Part-time inspector from the New Castle County office will be leaving in July. He is a Wilmington Firefighter and will be going to work for the Wilmington Fire Marshal Office. Fire Marshal Ingle expressed some concern with maintaining part-time positions through special funds. The plan review fees are down and this could possibly change staffing.

DFIRS Update

Fire Marshal Ingle reported that Lilly Medina is doing a good job. He pointed out the Sussex County is doing a great job now. Many of the companies are beginning to catch up.

The following fire companies are delinquent in DFIRS requirements.

- **New Castle County**

Aetna	April 2007
Belvedere	January, March – June, September 2006 March & April 2007
Christiana	March & April 2007
Elsmere	April 2007
Five Points	April 2007
Holloway Terrace	April 2007

New Castle County cont.

- | | |
|-------------|------------------------|
| Mill Creek | February – April 2007 |
| Port Penn | January – March 2007 |
| Talleyville | May, 2006 & April 2007 |
| Townsend | February – March 2007 |
- **Kent County**

Camden-Wyoming	April 2007
Harrington	January – April 2007
Houston	April 2007
Magnolia	April 2007
Marydel	January – April 2007
South Bowers	April 2007
 - **Sussex County**

Delmar	January – April 2007
Milton	April 2007

Hardwired Smoke Detectors

Fire Marshal Ingle reported that Bob Borkowski and Lilly Medina are going to do presentations on DFIRS, Hardwired Smoke Detector and False Fire Alarm Programs. This is an attempt to get more people involved in reporting. It has been successful in some areas. They are also looking for new ideas or suggestions about the system if they feel it is difficult to use.

The Hardwired Smoke Detector program received three referrals last month. Bob Borkowski has been attending community centers, civic association meetings and church meetings. Referrals are coming in at a limited amount.

False Fire Alarms

The Fire Marshal's Office is seeing some improvement in the False Fire Alarm reporting. The office is making a real effort to work with companies to improve this important program.

Fire Death Update

A 10th Fire Death of the year took place on May 28th. 27 year-old male died from thermal burns sustained in a structure fire. The incident remains under investigation. Only one of the 10 fire deaths this year had working smoke alarms.

Fire Safe Cigarette Legislation

Fire Marshal Ingle reported that the Fire Safe Cigarette has been placed in the Senate Public Safety Committee. A committee hearing is scheduled for June 20, 2007 at 2:00 PM.

Residential Sprinkler Initiative

Fire Marshal Ingle and Chief Fire Protection Specialist R.T. Leicht met with Commissioner Brode, Mike Petit de Mange, a Representative from the Home Builders Association and an insurance representative. Questions were raised from the April meeting. They do not want a mandatory sprinkler requirement; however they are willing to work with the Fire Marshal's Office on something that is reasonable and workable. Commissioner Brode contacted Vice Chairman Sharp to inform him on the excellent job that Fire Marshal Ingle and his staff did at the meeting.

Tidewater Utilities

On June 4, 2007, Fire Marshal Ingle, Deputy Attorney General Reardon and Commissioner Ricker attended a mediation hearing with Tidewater Utilities. All sixty-five properties were reviewed. Of these sixty-five properties, fifty were acquired or in possession prior to the effective date of the regulation in 1989 and were not required to have fire protection. Fifteen other properties did require some form of fire protection. A reasonable plan of correction was agreed upon. A draft plan or settlement will be available in the near future.

Deputy Attorney General reported that she has a working draft settlement agreement that she continues to change as she receives input. It is believed that a finalized draft agreement will be presented to the Fire Prevention Commission in July.

Commissioner Magee suggested researching the creation of legislation to cover the concerns with the water companies and municipalities.

Commissioner Ricker commended Fire Marshal Ingle and Deputy Attorney General for a job well done.

Bar Owner's Meeting

Fire Marshal Ingle met with the bar owners of Sussex County on May 23rd to discuss the upcoming season and to let them know what changes have taken place in the regulations that may effect them. A crowd managers program was offered to them.

Bar Owners Meeting cont.

They were informed that periodically throughout the summer, the Fire Marshal's Office will be inspecting the occupant load capacity.

Dover Downs Race

Fire Marshal Ingle reported that his office participated with the Dover Downs Race along with the City of Dover Fire Marshal. No major incidents were reported.

State Fair

The State Fire Marshal Office is preparing to participate in the State Fair once again. A booth on the fair grounds will be manned between July 19th and 28th.

Vehicles

Fire Marshal Ingle continues to work with the Office of Management and Budget on the vehicle issue. He has heard nothing as of yet, but hopes to hear something after this session.

Sussex Office

The HVAC system has been replaced at the Sussex County Fire Marshal Office. Phone lines and the computer hub are all in the process of being replaced and/or moved. Technical Services will move to the Fire School side on June 29th until renovations are complete.

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

- QA and I Policy were submitted to the Commission for review.
- Ambulance Regulations – For Review.
- Fire Company Survey – 55 Fire Chiefs responded to the survey. The information received was informative and will be taken into consideration by the Fire School Director and Fire Prevention Commission.
- Sussex Technical High School – EMTB program – September 2008
- Ambulance Inspections are increasing. The goal is to have every ambulance in the state inspected annually.
- Pro-Board re-accreditation inspection took place on June 12th and 13th. The school passed inspection and this remains in good standing for 5 years.
- A computer program update proposal for the Fire School was \$71,230.00.
- A Planning and Evaluation Meeting has been scheduled for the office staff on June 27th.
- A Planning and Evaluation Meeting has been scheduled for June 25th – 29th.
- SERT plan revisions – DEMA is in the process of updated the SERT plan to add DSFS back on Level 1 response.
- Reminded Staff of requirement for education/seminars attendance.
- Student Injuries – several minor – asthma, minor cuts, feeling ill.
- Processing of Haz. Mat. Tech. Pro-Board certification applications from DuPont (418) has netted the school \$14,630.00.
- Director Newnam attended the Working Group meetings, DECON Users group meeting, Pandemic Seminar in Georgetown, Completed Incident Review for Station 21 incident, SERC Budget meeting, DCFSF meeting – discussed future and NIMS Committee meeting.
- Christina Parsons, EMS Secretary has turned in a letter of resignation. She has not given an official final date of employment, but it will be sometime in July. Director Newnam stated that she will be greatly missed because of her professionalism and her abilities in the EMS Division. She has always come to work with a smile on her face and does her job very well. Christina is preparing a book of instructions to leave for the person that replaces her. This should be very helpful.
- Contract has been reviewed for MSA by Deputy Attorney General Reardon. This contract brings the school's units up to standards.
- The last two Wilmington Firefighters have passed their background checks for EMT-B certification.

Director cont.

- Marydel has a concern with staffed EMT-B's and a program they have set up in Maryland. Marydel Fire Co. will attend the July Commission meeting to discuss concerns.

Staff Activities

- Deputy Director Martin attended the NFPA Conference from May 31st – June 6th.
- Deputy Director Martin attended the IFSTA Conference from July 6th – July 11th.
- Deputy Director Martin and Senior Instructor Bill Walton are scheduled to attend the Southern IAFC Conference in August.
- Deputy Director Martin developed and approved a new Instructor application.
- Senior Instructor's Bill Walton and Jim King attended the IAFC Eastern Division Conference.
- Senior Instructor Jerry Brennan conducted a Train-the-Trainer class for DELDOT and police in traffic management pilot program.
- DSFS senior staff conducted fire attacks in the structural building for review purposes. Director Newnam reported that the purpose was to find out which kind of fire attack works best in the DSFS buildings so the part-time instructors can be formed. It was a learning experience that went very well.
- Administrative Specialist II Libby Carey has attended several Microsoft Office Application programs.
- Administrative Specialist II Christina Parsons attended programs for Human Resource Certificate.
- Director Newnam requested that he be able to ask for the Risk Watch Coordinator position under his budget in FY09.
- Senior Instructor Mike Lowe is preparing a DSFS awareness display for the State Chiefs Meeting.
- Senior Instructor Craig Stephens attended a building collapse technician class at Dover.
- Senior Instructor Billy Baker attended a DNREC Safe Boating Dinner.
- Senior Instructor Jay Reynolds attended training on compressed air foam.
- Director Newnam has given Craig Stephens the task to develop a Rescue Technician certification program.
- Senior Instructor Jerry Brennan attended the Haz. Mat. Conference.
- Senior Instructor's Jerry Brennan and Bill Walton attended the Amtrak training course in Wilmington.
- Senior Instructor Mike Lowe completed a draft of a Public Service announcement.

Staff Activities cont.

- Senior Instructor Bill Walton attended the badge ceremony for the Wilmington Fire Department.
- Senior Instructor Jim King attended the housing ceremony for Ambulance Station 93.
- The Staff attended the DVFA Meeting.

Programs/Courses

- Fire Fighter I/II and Fire Officer Certification Testing
 - 52 Tested for Firefighter I/II – 10 Failed written, 3 Failed practical
 - Fire Officer I – 5 Tested and Passed
 - Fire Officer II – 2 Tested – 1 Failed
- Re-tests will be schedule as per DSFS policy
- Senior Instructor Mike Lowe has reported that the Communication with Children I program has been validated.
- EMT-B Course to be updated to Brady 8th edition.
- Air Crash Rescue program conducted, 23 students attended.
- Conducted a pilot ITLS class in Sussex County.
- Developed 12 hour Field DECON program.
- Senior Instructor Jim King completed update and revisions to Fire Extinguisher Program.
- First responder classes are increasing.
- Fit Testing equipment has been ordered.

Maintenance

- Office re-modeling continues to move forward. The clerical office space has been rearranged and is working well for the staff.

Financial

Tuition Account	(8000) 121,543.00	Balance 152,723.00	A/R
Hazardous Material Account	(8200) 29,490.00	Balance 87,200.00	A/R
Past Due Billings			
30 days past due	\$10,800.00		
60 days past due	\$974.00		
90 days past due	\$0.00		
120 days past due	\$0.00		

REPORT OF DEPUTY ATTORNEY GENERAL

No report at this time.

ACTION ITEM

Quality Assurance

It was moved by Commissioner Magee, seconded by Commissioner Ricker to approve the Quality Assurance Program submitted by Director Newnam. Motion carried.

Public Hearing

It was moved by Commissioner Magee, seconded by Commissioner Ricker to send the proposed draft ambulance regulations updated to the fire companies for comments prior to scheduling a public hearing. Comments will be received on or before August 1, 2007. Motion carried.

Bethany Beach Volunteer Fire Company Correspondence

The Commission reviewed correspondence from Bethany Beach Volunteer Fire Co., Inc. of May 25, 2007. Bethany Beach Fire Company has requested that they be able to provide ambulance service to the district of Bethany Beach. If acceptable to the Commission, they would like to continue these efforts with the goal of reaching a final decision within 60 to 90 days. They requested that the work of the committee appointed by the Commission be put on hold. If necessary, the committee can continue deliberations after the decision and the information is developed. Bethany Beach V.F.C. remains available to discuss this subject in detail and is open for suggestions.

Chris Coons Correspondence

Correspondence from Chris Coons, County Executive for New Castle County was discussed among the commissioners.

Mr. Coons requested having the SFPC explore the possibility of assisting county government and our volunteer fire companies regarding the lengthy process associated with securing background information of potential applicants to the fire companies. The current process that utilizes the State Bureau of Investigation is one of the major barriers to success in New Castle County efforts to increase membership. The Emergency Services Corps recruited 352 young people this year, who signed forms expressing interest in joining the volunteer fire service, yet only 13 so far have been voted in as full members.

Chris Coons Correspondence cont.

A review of the situation concluded that the lengthy delay required to secure a background check, as well as our inability to have the SBI's services billed either to county government or the fire companies, pose significant hurdles.

Mr. Coons requested that the commission serve as a conduit for the billing aspect of this process as well as finding a more streamlined way to obtain background checks.

Chairman McMahon has spoken to Secretary Mitchell and he has agreed to look into the process for this group of people. He will also look for an agency to possibly process the billing. He asked if the commission would be willing to take over the billing. Deputy Attorney General Reardon advised that taking over the billing would require the Commission to set up an entire new administrative process with escrow accounts and support staff. She advised that it is not a function that the Commission is charged with by statute to perform. Chairman McMahon will inform Mr. Coons that he contacted Secretary Mitchell for guidance and they will attempt to remedy New Castle County concerns but will not be taking over the billing aspect..

It was moved by Commissioner Magee, seconded by Commissioner Ricker to go into Executive Session. Motion carried. The Commission entered Executive Session at 11:20 a.m.

EXECUTIVE SESSION

It was moved by Commissioner Ricker, and seconded by Commissioner Magee to go out of Executive Session. Motion carried. The Commission exited the Executive Session at 11:23 a.m.

REGULAR SESSION

ACTION ITEMS

Personnel

It was moved by Commissioner Ricker, seconded by Commissioner Magee to authorize Fire Marshal Ingle to hire the candidate proposed for the vacant Fire Protection Specialist by Fire Marshal subject to the candidate's acceptance of the position. 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.

Personnel cont.

It was moved by Commissioner Ricker, seconded by Commissioner Dougherty to authorize Fire Marshal Ingle to advertise for the vacant position of Fire Marshal V. Motion carried.

Children's Fire Safety Foundation

The Commission discussed attendance of Children's Foundation meetings. It was agreed that a commission representative will attend future meetings for support.

2007 Governor's Fire Safety Conference

Commissioner Magee reported on events scheduled for the 2007 Governor's Fire Safety Conference. A Public Service Announcement has been scheduled to include Governor Minner and Lt. Governor Carney in regard to fire safety. The taping will take place on August 21st possibly at the Fire School. Details will be worked out and shared with the Commission. A tour of the Fire School was suggested for the Governor and Lt. Governor while they are on the premises.

Commissioner Magee thanked Director Newnam and his staff for the list of names for invitations. Kim O'Malley, Risk Watch Coordinator will provide classes during the conference with CEU's. Prices for the training will include a dinner ticket.

A contract has been signed for the Sheraton in Dover, contract is signed for the guest speaker, and guest gifts have been ordered. The focus of this year's conference will be in accordance with the NFPA Fire Prevention Week Theme, "Practice Your Escape Plan".

An invitation has been created and delivered to the Governor's office for approval. Invitations will be printed and mailed by August.

Formal Swearing in of Fire Marshal Grover P. Ingle

It was moved by Commissioner Magee, seconded by Commissioner Ricker to appoint Grover P. Ingle as Delaware State Fire Marshal. Motion carried by roll call.

Commissioner Ricker – Yes

Commissioner Dougherty – Yes

Commissioner Magee – Yes

Vice Chairman Sharp - Yes

Commissioner Betts - Yes

Commissioner Pyle - Yes

Chairman McMahon - Yes

Formal Swearing in of Fire Marshal Grover P. Ingle cont.

Chairman McMahon welcomed everyone in attendance for the swearing in ceremony for newly appointed Fire Marshal Grover P. Ingle. He was officially sworn in by Deputy Attorney General Allison Reardon. The Commission congratulated Fire Marshal Ingle. He thanked the Commission, his family and the staff for the support they have given him.

Commission Policy Manual

It was moved by Commissioner Magee, seconded by Commissioner Ricker to adopt the Commission Policy Manual. Motion carried.

Commissioner Evaluations of Fire Marshal and Fire School Director and Senior Management Personnel to include any upgrades, reclassifications or recognition.

It was moved by Commissioner Magee, seconded by Commissioner Ricker to approve Performance Evaluations for the State Fire Marshal and Fire School Director with possible adjustments. These evaluations will begin December 31, 2007. Motion carried.

Commission Workshop

A Commission Workshop has been scheduled for September 8th and 9th. Topics of discussion will be Administration Qualifications, Firefighter Qualifications, EMS and Priorities for the upcoming year.

National EMS Education Standards Communiqué #7

The National EMS Education Standards Development Team dispersed the first draft of the National EMS Education Standards for critical review and comment. It appears that training requirement hours will increase with these standards. A portion of the new hours required will be NIMS, Level 700 & 100. They are also allowing this to be done through a self study program. We have no way of knowing at this point how many hours would be added to training. This is for informational purposes.

Travel Policy

The commission discussed the updated requirements for the state travel policy. All of the necessary information was dispersed for their use.

Pending Legislation

The commission discussed pending legislation.

House Bill 149 – An act to amend Title 16 of the Delaware Code relating to reduced ignition propensity cigarettes and fire safety. This bill has been placed in the Public Safety Committee for review. Fire Marshal Ingle and Executive Specialist Sherry Lambertson will attend the committee meeting lead by Senator Margaret Rose Henry.

House Bill 134 – This Bill adds firefighter, emergency medical technician (EMT) or fire police to coverage under this Act. It will amend Title 11 of the Delaware Code relating to specific offenses. This bill was placed in the Senate Small Business Committee. Senator Robert Venables is the Chairman of this committee.

House Bill – 157 – This Act establishes a suspension procedure regarding license holders who are charged with felony conduct. This Act will amend Title 16 of the Delaware Code relating to Fire Departments and Fire Police. This Bill was assigned to the Senate Public Safety & Homeland Security Committee for review.

The Commission received draft legislation from Representative Ennis for review. It prohibits a person who has committed certain designated crimes from becoming a volunteer firefighter. There is an “extraordinary-circumstances exception” for some of the designated crimes. Denial of membership in a volunteer fire department may be appealed to the State Fire Prevention Commission and is also subject to judicial review.

It was moved by Commissioner Magee, seconded by Vice Chairman Sharp to respond by email with comments and questions in regard to the bill. It is the Commission’s intent to support the bill after comments and questions are addressed. Motion carried.

The Commission requested their Executive Specialist become an active part of the legislative process with legislation that can affect the State Fire Prevention Commission. Put together follow up information on legislation and keep the commission informed.

Luncheon with Governor Ruth Ann Minner

The Commission met and had lunch with Governor Minner. Some of the main topics of discussion were Accountability Issues within the fire service, Bethany Beach Ambulance District Coverage and Mandatory Audits for all fire departments. Governor Minner stated that she would sign an Executive Order for some of the Commission concerns.

Sussex County Call Board Email

Commissioner Ricker discussed an email that he received from Joseph Thomas, Sussex County Emergency Operations Center. The question was asked about ambulance dispatch from a department that is farther away from the scene because it is assigned to another district. An incident was brought to the Sussex EOC's attention regarding an emergency call. An ambulance was dispatched to a private home. The dispatched ambulance came from a greater distance than the closest one to the home because of the district configurations. The family members are concerned with the process and brought it to the attention of the EOC for support.

Executive Specialist Report

Participated in the Governor's 5K Run/Walk in Dover on behalf of the commission.

Attended two First State Financials eProcurement Meetings regarding changes to the state accounts payable/receivable system.

Attended GAAP Meeting to discuss end of Fiscal Year close out reports.

Attended Luncheon Meeting with Governor Ruth Ann Minner at the Woodburn Estate.

Attended Medical Information Steering Committee Meeting June 14th. This is a subcommittee from DEMSOC to deal with EDIN. Topics of Discussion at this meeting were EDIN/CAD Interface, Acceptable Use Policy for fire service, NEMESIS and Delaware Health Information Network

Visited Legislative Hall on June 14th to follow legislation that will affect not only the Fire Prevention Commission, but the Delaware Emergency Service.

Continue to work on 2007 Governor's Fire Safety Conference Project, End of Fiscal Year Reports, Commission Policy Manual, Start up of 2009 Fiscal Year, Live Burn Regulation and all requests from Commissioner's.

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 Kenneth H. McMahon

Chairman McMahon reported that he attended the Monthly Fire Prevention Commission Meeting, Luncheon Meeting with Governor Minner, New Castle County Fire Chief's Meeting, M.I.S.C. Meeting, and New Castle County Fireman's Meeting.

Vice Chairman Marvin Sharp

Vice Chairman Sharp reported that he attended the Monthly Fire Prevention Commission Meeting, Luncheon Meeting with Governor Minner, Law and Legislative Night, Fire Advisory Board Meeting, and Kent County Fireman's Association Meeting.

DATE OF NEXT MEETING

July 17, 2007, 9:00 AM
Commission Chamber
Delaware Fire Service Center
1463 Chestnut Grove Road
Dover, DE 19904

ADJOURNMENT

It was moved by Vice Chairman Sharp, and seconded by Commissioner Dougherty that the meeting be adjourned. Motion carried. The meeting was adjourned at 2:45 p.m.

Respectfully submitted,

Sherry R. Lambertson
Executive Specialist

sl/