

**COMMISSION ON FIRE PROTECTION, PERSONNEL,
STANDARDS AND EDUCATION**

Fire Commission Minutes

December 6, 2018

Lexington, Kentucky

Present:

Joe Baer
Chris Bartley
Daron Britain
Rick Daugherty
Pam Dickens
Mike Dossett
Sean Dreisbach
Mike Haney
David Howser
Dustin Isaacs
Bill Lilly
Patrick Lucas
Lonnie Madden
Terry Martin
Dr. William Melahn
Vikki Parman

Absent:

Greg Dearing
Scott Lawson
Andrew Scott

Joe Baer called the meeting to order at 1:00 pm. Bill Lilly motion to approve the minutes from October 11, 2018 in Lexington Kentucky. Pam Dickens seconded. Motion approved.

Joe Baer said that Chairman Dearing wanted him to extend his well wishes and a Merry Christmas to everyone. He is on vacation right now. Joe Baer thanked everyone for being here today.

Loan Committee

Joe Baer said the loan committee met earlier this morning. Joe said Water Valley Fire Department had submitted a loan request for an apparatus. Bruce said their

loan request had been approved, but they had not received their apparatus yet and it has been a year. Water Valley is requesting their old loan application be used, instead of having to submit a new application. Joe Baer said the loan committee decided to use the existing loan application instead of having them fill out a new application. Dr. Melahn motion for the Fire Commission to approve resubmitting their existing loan application. Chris Bartley seconded. Motion approved.

Joe Baer said that Bronston Fire Department has requested that the Commission give them a one-year extension on their loan payment because they had been penalized and lost their state aid. The loan committee felt that they were not entitled to the extension because they lost their state aid due to erroneous training records. The committee voted to deny this request. Joe Baer motion to approve. Chris Bartley seconded. Motion approved.

Liberty Fire Department is requesting \$40,447.50 for a new cascade system. The loan committee recommends that this loan be approved. Joe Baer motion to approve. Lonnie Madden seconded. Motion approved.

Airport Sorgho Fire Department is requesting \$75,000.00 for SCBA's. The loan committee recommends approval of this request. Joe Baer motion to approve. Bill Lilly seconded. Motion approved.

Joe Baer said the loan committee discussed having the County Judge's signature on loan applications before they are approved. Joe said he met with Chairman Dearing last week and it is his intent to develop a taskforce to address all of these issues.

Eligibility Committee

Rick Daugherty said there were several topics that the eligibility committee discussed this morning. Rick Daugherty said it was recommended during the eligibility committee meeting that Bronston Fire Department return their \$11,000.00 state aid check for 2016 training. Rick said the committee also recommends holding their current check for payback of the 2016 training hours since they were deficient. Rick Daugherty motion to approve. Pam Dickens seconded. Motion approved.

Rick Daugherty said that Bruce Roberts gave us a report this morning that shows there are 13 departments who still have not complied with the DLG requirements. Rick said there was a motion made and passed to give those 13 departments until

12-31-18 to get all their information into Bruce. Bruce is going to send one more letter out to these departments advising them they have until 12-31-18 to get their information in. If we do not receive this information back, we will withhold their \$11,000.00 State Aid check. Bruce asked what happens if these departments do not meet the 50% on their batch report for state aid. What do we do then? Howdy Kurtsinger said after reading the KRS 95A.055, we need to amend the motion and add KRS to it. Terry Martin asked has this been sent to the magistrates. Bruce said yes. Rick Daugherty motion to give the 13 fire departments who are not in compliance with DLG until the end of the year to get into compliance or they will lose their state aid. Chris Bartley seconded. Ronnie said we can come back at the February meeting for the departments who did not qualify for state aid and we can stop Worker's Comp, death benefits, hepatitis shot benefits, grants and everything if we chose to do that. Rick Daugherty said at the committee meeting this morning, we felt that we should not put that punishment on the firefighters within the department. Rick Daugherty motion to amend the original motion to include the verbage from the KRS 95A.055 section 10 that states: The commission shall report any irregularities relating to the finances or operations of a fire department that it identifies to the Attorney General and Auditor of Public Accounts, and the commission may notify any other public official with jurisdiction over fire departments for further investigation and follow-up and we will re-evaluate the departments who are below 50% on their hours. Patrick Lucas seconded on the amendment. Motion approved for the amendment. The Commission approved the motion as amended.

Rick Daugherty said Bruce has received approximately 130 applications for the thermal imaging cameras. Rick motion for Bruce Roberts to move forward with this process. Pam Dickens seconded. Motion approved.

Rick Daugherty said Bruce Roberts received a letter from Burning Springs Fire Department. Their state aid for 2017 was held because they did not meet the 50%. The person who was entering their hours left and not all of their training had been entered into the fire training system. They were at 22%. Burning Springs assigned a new person to enter the remaining training hours for 2017 into the system. They are now at 85%. Rick Daugherty motion for Burning Springs' state aid to be reinstated since they met the training requirements. Dr. Melahn seconded. Motion approved.

Rick Daugherty said we had two topics under the new business to discuss. The first one was for State Instructors to only be able to teach 8 hours in their home department. There was some clarification on this. It should have said to only be

able to teach 8 hours in their home department if they are teaching for SFRT and being paid. Joe Baer said we would like to table this until later in the meeting.

Dr. Melahn said he reviewed the records for firefighter Richard Gossman. The diagnosis was cancer, which included cancer of the liver, brain and other locations. He was 51 years old and Dr. Melahn could not find anything to disqualify him from the line of duty benefits. Dr. Melahn said Firefighter Gossman does meet the criteria for line of duty benefits in his medical opinion and was exposed through the course of his firefighter activities to carcinogens. Rick Daugherty motion to approve the line of duty death benefits for Richard Gossman. Pam Dickens seconded. Motion approved.

Health and Wellness Committee

Patrick Lucas said the Health and Wellness Committee met this morning to discuss the extractors. Patrick said we have 18 extractors set up across the state right now. We are looking at purchasing 15 more extractors. Patrick Lucas motion to approve purchasing 15 extractors. Sean Dreisbach seconded. Motion approved.

Fire Marshal's Office

None.

Emergency Management

Mike Dossett said FEMA has launched an initiative, a construct called lifelines. These are the seven lifelines:

- Safety & Security
- Food, Water, Sheltering
- Health & Medical
- Energy (Power & Fuel)
- Communications
- Transportation
- Hazardous Waste

Mike Dossett said we have been successful in obtaining what is called a FEMA 15. This is an integration team where FEMA hires four planners, they imbed the planners within state agencies, and this will go across the country.

Mike Dossett said they are in the process of a federal government granted mass evacuation plan for the Western 8 counties. That involves New Madrid and the plan is written in a lily pad format.

Mike Dossett said we hosted last month a Search and Rescue summit with our SAR chiefs. This was well attended.

Mike Dossett said CSEPP will start destroying mustard gas in May 2019.

Kentucky Firefighter's Association

Pat Thompson said they are working on the KFA Conference, which will be held in August. They had their E-Board meeting in Corbin. The next E-Board meeting will be held at Green River Officer's School on February 23, 2019. Pat Thompson thanked Bruce Roberts for his help on the maintenance and upkeep of the Firefighter Memorial. Bruce said he has 22 coins left if anyone would like to purchase one.

Kentucky Association of Fire Chiefs

Gregg Bayer said as of today, we have had 44 fire fatalities in the state this year.

Greg said he has had the privilege of working on the diabetic taskforce with KFA and KPFA. Hopefully this taskforce will bring about positive legislation.

Gregg Bayer said the Ambulance Association has put out doctrine wanting to deregulate the certificate of need process. We oppose that. The danger to the fire service is that this will bring in private competition that will take over EMS.

Kentucky Professional Firefighter's Association

Joe Baer said they are holding their quarterly board meeting on December 13th in Lexington at the new Union Hall. Joe said their next convention will be held in May.

KBEMS

None.

Old Business

Howdy Kurtsinger said we will be holding our annual fire legislative meeting tomorrow here at the Fire Commission Office. Howdy said the Fire Caucus will be held April 24th through the 25th in Washington. Joe Baer said the firefighter legislative chili dinner will be held on February 26th at Buffalo Trace.

New Business

Ronnie Day said there are calendars in everyone's packets. Ronnie said if you would like to host a meeting in your area please let us know. The 2019 meeting dates are as follows:

Date	Time	Location
February 22, 2019	1:00 pm (CT)	Owensboro, KY (Annual Elections)
March 8, 2019	1:00 pm	Elizabethtown, KY
April 18, 2019	1:00 pm	Lexington, KY
June 13, 2019	1:00 pm	Lexington, KY
August 4, 2019	1:00 pm (CT)	KFA Conference, Owensboro, KY
October 17, 2019	1:00 pm	Lexington, KY
December 5, 2019	1:00 pm	Lexington, KY

Sean Dreisbach motion to approve. Daron Britain seconded. Pam Dickens said she would like to host either the October or December meeting at Kimberly Clark in Owensboro, Kentucky. Ronnie said October would probably be the better date for the Fire Commission. Motion approved.

Ronnie Day said our By-Laws state that if you have intentions of holding an office which would be chairman, vice chairman or secretary that the Chairman and Ronnie should be notified in writing at the December meeting prior to the elections. The elections will be voted upon at the meeting in February in Owensboro. Ronnie said he has a letter from Greg Dearing stating that he is seeking the re-election for the chairman of the Fire Commission. Ronnie said he has letter from Joe Baer stating that he is seeking re-election for the vice chairman position. Ronnie said he has a letter from Scott Lawson stating that he is seeking re-election for the secretary position. Ronnie said that is all of the letters he has received.

Joe Baer said the next item on the agenda is committee assignment topics. Joe Baer said that Chairman Dearing called him last week and he had received a number of phone calls, emails and texts concerning the items that was on the agenda for today. Joe said we both thought it would be best instead of taking action today without doing a thorough investigation into these things for Chairman Dearing to create a taskforce made up of firefighters across the state, Fire Commission Board members and general public to look into these topics. Joe said the three items on the agenda today are:

- Firefighters may be on only one volunteer fire department's roster at a time.
- Non IFSAC Certified Instructors to receive one-year grace period to become IFSAC certified.
- Firefighters who have not achieved the 150-hour level within two years will be listed as inactive instead of expired unless they get the remaining hours on their own to be on a volunteer roster again.

Joe Baer said we also had discussions earlier today in the committee meetings on state instructors only being able to teach 8 hours in their home department and all new SFRT instructors must have CPAT cards and maintain them yearly. Fire Commission loan applications must have the county judge's signature before getting loan approvals. Patrick Lucas said we have people who are on six, seven or eight rosters. That is not helping anybody. Patrick Lucas said when we are calling for help if everyone is already responding. Ronnie said he talked to Patrick last night concerning this. Ronnie said we have people who are on six to eight fire departments. They are qualifying every fire department they are on with just 20 hours. Ronnie said he has talked to several people in the last few days and everyone he has talked to agreed there should be a number on how many departments a firefighter can be on. Joe Baer said it not the intent of this board to hinder or hurt any departments in the state, especially volunteer departments. Gregg Bayer said an overwhelming majority of our fire departments is volunteer. It is not unheard of for a volunteer firefighter to be on more than one fire department roster. Many volunteer fire departments share instructors especially in rural communities. Gregg said he believes we need to promote volunteerism not hinder it. Ronnie Day said a fire department right now is a catchall. If anyone has a problem, they call the fire department. Ronnie asked Lonnie Madden if they get a fire call during the day, how many firefighters respond. Lonnie said three or four. Daron Britain said that is not effective firefighting at all. Lonnie Madden said I respond as one on another fire department because I work on that side of town. Lonnie said he is on three departments in the county. He said he thinks it is a

benefit to be able to be on more than one roster. Adam Fuller with the Fort Mitchell Fire Department said we have personnel who work full time for us and work two or three other part time jobs. We need to clarify the language of full time, part time and volunteer. This is a large concern for us. Robert Hume Chief of Lawrenceburg Fire Department said in Anderson County, we have two departments, city and county. Our firefighters are on both departments. We only have so many volunteers. We also have firefighters who are on Lexington Fire Department and Frankfort Fire Department as full time members. We rely on these firefighters for our departments.

Dr. Melahn asked Patrick Lucas, are you saying that limiting firefighters to one department is not your intent? Patrick Lucas said I am not limiting it to a number; I just threw out the new one. Dr. Melahn said I think you were pretty clear in stating that you wanted on the agenda one department. Patrick Lucas said yes. Dr. Melahn said we in a sense owe all of these people in the audience an apology, because they assumed we were going to talk about limiting firefighters to one department, did they not. Patrick Lucas said yes, that is the way it read. Dr. Melahn said these people left their everyday lives for this. Patrick Lucas said it is not his intention to hurt the volunteers. Dr. Melahn said the Fire Commission's role is to promote safety and promote training to help us get the job done. I think we really owe them an apology. Dr. Melahn said having said that, the burden of proof Mr. Lucas, I believe might be on you. We have done what we have done at least in Eastern Kentucky with members on more than one department for a long time and our intent is to provide excellent fire protection. Instead, you have brought this as an issue and now we going to have a taskforce working on it and we will spend a lot of time on it, when we could spend a lot of time on other things. I want to make sure we are prioritizing correctly, but I hear a lot of good chiefs saying the way they survive is by doing things the way they have been doing for 30 to 50 years. I want to go on the record as saying I think the burden of proof is on you. Patrick Lucas said that is fine, that is why I am here.

Joe Baer said the next item on the agenda is Non-IFSAC certified instructors to receive one-year grace period to become IFSAC certified instructors or instructor status will be revoked. Patrick Lucas said that after getting a lot of feedback from people I will withdraw that agenda item.

Joe Baer said the next item is for Firefighters who have not achieved the 150 hour certification status within two (2) years will be classified as "inactive" rather than "expired" and must get the remaining hours on their own to be on a volunteer roster again. Joe Baer asked if they were listed inactive, do the firefighters not have

to be on an active roster to get those hours. Bruce Roberts said the only way a person can get training is they have to be active on a fire department roster. In addition, if the person doing the training is not on a fire department roster, they would not be covered by Worker's Compensation. Patrick Lucas said we have individuals on my department who have been there for years and is still not 150 hour certified. After the two years, they are listed as expired. Ronnie Day said for the first two years on a department's roster, they do not count against the department's percentage. After the two years, if they do not have their certification or maintain their 20 hours, then they count against the fire department. Joe Baer asked does the Chief have the ability to remove them from the roster. Patrick Robinson said yes. Ronnie said the chief would have to do it. We cannot do it. Joe Baer asked would that not take care of this issue. Patrick Lucas said yes. Lonnie Madden said that would fall on the governing body of the fire department with whoever the Board of Directors is. Patrick Lucas said in his area, it is a local community thing. The chief does not want to be the bad guy. Howdy Kurtsinger asked are you looking for something to where they can stay on the roster and get their training, but not count against the department. Patrick Lucas said yes. Adam Fuller from Fort Mitchell Fire Department said we are at a crossroads on the volunteer side. I think we need to look at involving volunteers who do not want to fight fire. They can come on as a support team. Ronnie Day said Chapter 75 fire departments gives the taxing districts the authority to do that. The fire chief and board chairman sends me a letter and they can add them as a special firefighter. If this firefighter does not get his training, he will not count against the department. Ronnie said we tried to do this several years ago for all fire departments. One of the first calls we received was this is great that you all are doing this, so we are going to list every one of our Women's auxiliary as special firefighters and if they get hurt then they are entitled to Worker's Compensation and death benefits. Ronnie said that was not the intent of what we were attempting to do. We took that to LRC and they would not talk to us about it. Ronnie said our worker's compensation is approximately \$4,000,000.00 a year right now. Anthony Young said as fire chief, I know what the rules are. They have two years to become 150 hour certified or they show expired. That is on me to do something about it or work with them to get them certified.

Joe Baer said the next item is concerning State instructors teaching only 8 hours at their home department for SFRT. Patrick Lucas said if you are a SFRT employee teaching for the state, you can only be the lead instructor for eight hours on our payroll. Marc Rudder said this will be addressed internally next week at our staff meeting.

Joe Baer said the next item is all new SFRT instructors must have CPAT cards and maintain them yearly. Patrick Lucas said this has been withdrawn.

Joe Baer said the next item is that the Fire Commission must have the county judge's signature on applications before any loan approvals. Chief Anderson asked what if you are a city fire department working under a mayor or counsel. Ronnie said it would say the governing body. Dr. Melahn asked what is the reason for bringing this up. Patrick Lucas said this was to let the judges know what the fire departments are doing. Daron Britain said since then there has been some clarification through the Attorney General's Office and we had some questions answered. We have found out that the county attorney and the judge executive and fiscal court have no oversight on any of the chapter 273 departments. This will go back to the taskforce to try to discuss some of the issues. Dr. Melahn said so they do not have any real legal jurisdiction. Joe Baer apologized to the audience. He said he does not think we did you justice with what was sent out on the agenda. We do not want anyone to think that we are trying to do anything that is adversarial to the fire service in Kentucky. Casey Hall said there is a lot of misunderstanding in the fire service about what NFPA and IFSAC amount to. They use very thoroughly vetted processes. Wilbur Calder with Lewis County Fire Department asked that the Commission keep in mind that some of them cannot pass CPAT or IFSAC because of medical issues. Wilbur said he has been an instructor for 17 years. In 2013, he was in a coma in the hospital for weeks and he has breathing issues. Please keep that in mind too.

Ronnie Day presented plaques to Mayor Theresa Rochetti-Cantrell, Jim Nickell and David Goldsmith for their years of the service and dedication to the Fire Commission Board.

Correspondence

Ronnie Day said the Fire Commission Office will be closed from December 22, 2018 and reopen on January 7, 2019. Ronnie said the Green River Officer's School will be February 22 through the 24. Any Commission Member that is planning on staying please let us know as soon as possible. Ronnie said the Fire Commission workshop will be January 11 through the 13 in Louisville Kentucky. Joe Baer said if we have to have the workshop in Lexington, we do not have a problem with that. Ronnie said Jeremy Rodgers needs a work group to review the junior firefighter program. Ronnie introduced Greg Hiles to the Commission. Greg is our new employee that we are sharing with KBEMS. Greg works with us for PR and Marketing.

Ronnie Day said Therese Cheney has retired. After the Commission meeting we are having a retirement reception for her. Joe Baer thanked everyone for their input.

Meeting adjourned at 2:42 pm.