

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

Fire Commission Minutes

June 15, 2017

Lexington, Kentucky

Present:

Joe Baer
Rick Bobo (Proxy for Mike Dossett)
Theresa Rochetti- Cantrell
Rick Daugherty
Greg Dearing
Scott Lawson
William Lilly
Dr. Melahn
Rich Meyer
James Nickell
Kevin Tyler

Absent:

Dr. Tracy
Pam Dickens
David Goldsmith
Mike Haney

Greg Dearing called the meeting to order at 1:00 pm. Kevin Tyler motion to approve the minutes from April 13, 2017 in Louisville, Kentucky. Scott Lawson seconded. Motion approved. Greg Dearing thanked everyone who worked at State Fire School.

Loan Committee

Jim Nickell said the loan committee met this morning. Highview Fire Department sent in a request for a loan for fire gear for \$41,652.37. Jim Nickell said this loan request was approved by the committee and will be available to them after July 1, 2017 after they pay a current loan off they have with the Fire Commission. Jim Nickell said North Graves Fire Department is requesting to skip a loan payment because they did not meet the training requirements to receive state aid. The loan payment they are skipping will be added on to the end of their loan. Theresa Rochetti- Cantrell motion to approve. Scott Lawson seconded. Motion approved.

Eligibility Committee

Rich Meyer said the eligibility committee met this morning. We had a couple of requests for incentive pay. One was from the Louisville Fire Department. They have two individuals they want to add to the incentive pay. The job descriptions they sent in does not meet the criteria as a firefighter. The committee denied this request. Rich Meyer motion to deny Louisville Fire Department's request. Rick Daugherty seconded. Motion approved.

Rich Meyer said that Ryland Heights Fire Department has requested incentive pay for one firefighter. The committee approved this request. Rich Meyer motion to approve Ryland Heights' incentive request. Scott Lawson seconded. Motion approved.

Jeremy Rodgers said everyone should have a copy of KAR 739.2050. Jeremy said basically this is the KAR, the committee tasked Jeremy, Bruce, Howdy and attorney Angela Evans with cleaning up the KAR for state aid. This was directly related to holding state aid money from year to year. Jeremy said now the departments will either hold their state aid or they have to spend all of it. If departments save their state aid, they have to put it into an account marked fire department aid funds so we can account for the money through our audit process. Howdy Kurtsinger said after the Commission approves this KAR, it would go to LRC for approval. Howdy said we will have public hearings and we will announce the public hearings through the LRC website. Rich Meyer motion to approve this KAR. Rick Daugherty seconded. Motion approved.

Education Committee

None.

Training Facility Grants

Bill Lilly said the training facility grant committee met yesterday and approved the minutes of the last meeting. We had 53 requests for funding. Bill said we have \$1,206,601.42 to award. We will start bringing the departments in on August 16 and 17 so they can conduct their presentations. Ronnie Day said back in the mid 1990's, Daniel Boone Firefighter's Association donated land to us. Ronnie said we were going to build a multi-purpose building there some years ago. We set aside \$1,000,000.00 to build this facility. Ronnie said we looked at the sewer system there and it was going to cost \$1,000,000.00 to put one in. The Commission did not

feel like that was feasible at that time to do that. Ronnie said we held the money until some land and a building became available at the industrial park. We moved SFRT Area 9 to the park. The Daniel Boone Firefighter's Association approached Ronnie and requested the land back. Ronnie said he has talked with some of the Commission members, KCTCS Facility people and the Training Facility Committee. We can donate that land back to the Daniel Boone Firefighter's Association. Jim Nickell motion to return the land back to the Daniel Boone Firefighter's Association. Rich Meyer seconded. Motion approved.

Finance Committee

Joe Baer said the finance committee met on April 25th to approve the budget for the Fire Commission and SFRT. The committee approved the budget for FY 2018 for SFRT. Joe Baer motion to approved SFRT's budget. Bill Lilly seconded. Motion approved.

Joe Baer said we had to approve three different budgets for the Fire Commission, because we did not know if we were going to get a 1% raise, 2% raise or 3% raise. Joe Baer motion to approve the 3% raise. Jim Nickell seconded. Motion approved.

Health and Wellness

None.

Legislative

Howdy Kurtsinger said at the Fire School meeting we discussed the upcoming special session. At this point, there has not been any pieces of legislation that have disbursed by either the leadership of the house or senate. Howdy said he has had discussions with both sides. A special session will probably be called after August 15th.

Fire Marshal's Office

None.

Emergency Management

Rick Bobo said they have been working on the Eclipse. There is a lot of conflicting information on how many will show up in Western Kentucky. Rick

Bobo said they had a meeting on Monday concerning the Hurricane Evacuation Plan. Emergency Management has signed an agreement with the State of Louisiana to accept 1500 to 2000 people if a hurricane makes landfall.

Kentucky Firefighter's Association

Duane Suttles said the KFA state conference will be held July 29 through August 2, 2017 in Ashland, Kentucky. Duane said we will be moving from the Downtown Plaza in Ashland to the Holiday Inn Express at the Cannonsburg exit of I-64.

Kentucky Association of Fire Chief's

None.

Kentucky Professional Firefighter's Association

Joe Baer said we had our biennial convention last month in Owensboro. Now we are focusing on legislative issues that may come up in the special session. Joe said they have been asked to testify on June 26th in Frankfort for the budget pension oversight board. A special meeting for the KRS Board of Trustees is supposed to be called related to the pension.

KBEMS

None.

Old Business

None.

New Business

Greg Dearing said Kristin Chilton, the Chief of Lexington Fire Department is here for the incentive appeal for one of their firefighters. Bruce Roberts said what he has handed out is a letter from the chief requesting a hearing and requesting an extension for this firefighter's incentive pay. Bruce said what happened was for 2016 there was a firefighter suspended without pay in October. In November and December, he was not on the payroll. Bruce said this firefighter did not receive his required 100 hours for 2016 so we have requested money back from January through October. The amount we have requested back is \$2,883.30. This individual

was 14 hours short. Chief Chilton said in this situation with the firefighter being suspended, it is not clarified in the KAR. From the administrative standpoint, this person was on track to get his 100 hours at the end of the year. Chief Chilton said she put him on a six-month suspension and he had no way to get his training hours in by the end of the year. Bruce Roberts said if you look at section 1, the definition for allowable sickness, injury or other medical causes is listed. Suspension is not a medical reason. Bruce said if you go down to number 9 for leave of absence, if you read that it is talking about worker's compensation or a form of compensation. You have to have some form of compensation in order to receive incentive pay. This individual was not receiving compensation. Bruce said the chief is requesting a sixth month extension; this firefighter was only off work for two months in 2016. Bruce said he was off from 11-1-16 to 12-31-16. Kristin Chilton said it was the way it fell on the calendar year that prevented him from getting his 100 hours in. Attorney Angela Evans said it is up to the Commission to discuss the facts and make a decision. Theresa Rochetti Cantrell said as an administrator if someone is on disciplinary leave for whatever reason, they lose everything such as insurance, etc.. Rick Daugherty asked are we requesting the incentive pay back for the year for this firefighter. Bruce said we are requesting January through October of 2016 back. Rick Daugherty asked are we requesting it back from the firefighter. Bruce Roberts said no, we are requesting it back from the city. Kristin Chilton said he has already been paid this money. Chief Chilton said a lot of times if someone has been overpaid, payroll will take that from the firefighter's paycheck for the next 26 pay periods or so. Rick Daugherty asked why is that firefighter not here. He is the one who has everything to lose not the city of Lexington. Kristin Chilton said her point is the months he received incentive, he was eligible to receive it. Bruce Roberts said we have never allowed an extension for someone who has been suspended. Rick Daugherty said this firefighter should know if he was drawing incentive pay that he has to get his 100 hours in for the year. Rick Daugherty motion to uphold the eligibility committee's findings and rulings. Kevin Tyler seconded. Motion approved.

Bruce Roberts said Campbellsville Fire Department is here concerning a 1403 live burn they conducted. Rich Meyer said the motion originally made was to suspend their instructor numbers for six months and have them go back through 1403 training. Jeremy Rodgers said he passed out the whole report to the Commission. Jeremy said we had no paperwork that came in through our office for this burn they conducted. Jeremy said that Eric Bach and he went to Campbellsville and spoke with Alex Johnson and Brent Lyle to gather the facts. Jeremy said Alex Johnson said he did send the full packet of paperwork by email to Josh Whitis with Area 14. Jeremy said he requested a copy of that email so we would have

verification. Jeremy said what he received from Chief Taylor was just a copy of the one sheet again, not the full packet. Jeremy said Alex Johnson did give him the full packet, the day they were down there.

Chief Taylor said back in January 2017, they were contacted by a landowner that wanted a house burnt down. Chief Taylor said they decided they wanted to use this for a training opportunity. Chief Taylor said he thinks this is the first time; they have conducted a structure burn in a long time and definitely under his administration. Chief Taylor said they faxed their paperwork in, but apparently, it didn't make it through. They never did follow up to make sure it went through. Chief Taylor said they were approached by their mayor who expressed interest in doing more activities with the fire department. He decided to get with the instructors and let the mayor make a controlled entry into the live fire burn. Dr. Melahn asked are the fire departments expected to wait on final approval letter from the Area Coordinator before they do a live burn. Marc Rudder said yes, he has to sign off on the paperwork after the area coordinator makes a visual inspection of the site to ensure everything is in proper order. Chief Taylor said that was an oversight on their end. Kevin Tyler asked Chief Taylor did he review the live burn paperwork. Chief Taylor said yes. Kevin Tyler asked him do you understand the part that says no civilians in a live fire burn building. Chief Taylor said he must have missed that part. Kevin Tyler said that from our level there are no excuses. We are responsible for the safety of our people. Kevin Tyler motion that we uphold the eligibility committee's recommendations. Rich Meyer seconded. Rich Meyer said the committee's recommendations is to suspend their instructor numbers for six months and have them go through 1403 training again. Scott Lawson asked is that for everyone who is on this list. Rich Meyer said yes, for all of the instructors on this list. Greg Dearing asked for the names of the instructors. Greg asked Marc Rudder if he would be able to assist these firefighters with their training. Marc Rudder said we can offer them 30 instructor lead hours a year. Greg Dearing said the instructor suspensions is for Chris Taylor, Howard Dobson, Bob Buckner, Brent Lile, Charlie Shaw and Alex Johnson. Motion approved.

Correspondence

Ronnie Day said the KFA Conference will be held July 28 through August 2nd in Ashland, Kentucky. There will be a Commission meeting there on July 30th at 1:00 pm (ET).

Joe Baer said he has talked with Mark Hammond about their facility in Ashland and they have not been able to find a suitable building in their area. Mark Hammond said they have been in an old high school for the last two years. Mark said they signed a lease for the building, but the problem is that lease can be broke with in thirty days and they have to leave the building. Mark Hammond said when they first started leasing the building they were by themselves. Now they have to share the building with 600 kids. Mark said a lot of those kids are in the lobby area during the day. Mark said they have been looking for property, but haven't had any luck yet. Marc Rudder said with security issues of the public school, he can't go to Area 10's office. No fire department can walk into their office and conduct business. Marc said he would like request the permission of the Commission to be able to advertise for lease space in the Ashland and Boyd County Area. Greg Dearing said we will look at this after July 1, 2017.

Meeting adjourned at 2:06 pm.