

AGENDA
Avery County Fire Commission
Regular Meeting
October 10, 2013

- 7:00 p.m. I. Convene Meeting/Invocation
- 7:05 p.m. II. Call to Order
A. Additions/deletions to agenda
B. Public comments
- 7:10 p.m. III. Agenda Items
A. Appointment of Fifth Member
B. Election of positions of Clerk
C. Frank Fire (request funds to replace hose that failed test)
D. Green Valley Requesting Funds to purchase new turn out gear for new members
E. Linville (Request funds to service trucks)
F. Funds for reserve truck
FDC Report
1. Update on Uniforms
2. Update on FDC truck
3. Update on Uniforms
4. Update on Banner Elks Parking lot
- 7:50 p.m. IV. Approval of minutes for September 12 meeting
- 7:55 p.m. V. Upcoming Meetings & Other Issues of Concern
Next Fire Commission will be November 14, 2013 at 7:00pm. Fireman's Assn. November 7, 2013 at Avery County Linville Fire Dept. at 7:00pm
- 8:00 p.m. VI. Closed Session
1. Employee matter with Banner Elk Fire Departments
- 8:45 p.m. VII. Adjourn

AVERY FIRE COMMISSION MINUTES MINUTES

The Avery County Fire Commission met in a regular meeting on Thursday, September 12, 2013 at 7:00 p.m. in the Commissioners Board Room, Newland, NC.

Bob Garland led prayer.

Call To Order

Vice Chair Joe Perry called the meeting to order at 7:05 p.m. He welcomed new Board members Bill Beutell and Matt McClellan to the Avery Fire Commission. Board members present were Joe Perry; Johnny Mathes; Bill Beutell; Matt McClellan. There was one vacant position due to Board member Wayne Miller retiring.

Charlie Franklin said he had sent an email about one hour after the agenda packet was sent out. Fall Creek Fire Department wants to release their old pumper/tanker that was just replaced by a new truck to the Fire Commission as a reserve for the county.

Motion by Johnny Mathes and second by Matt McClellan to add discussion regarding the truck from Fall Creek Fire Department to the agenda. Motion unanimous.

Public Comments

Jim Brooks thanked the fire commission for serving. Now that we are receiving your minutes they are going to be on our website and you can look at the fire association minutes also on the website. I would like to mention a couple of items that would save the county money. I would like to ask you to consider making it mandatory, except for emergencies, the purchase of all fire equipment through the annual 50/50 state matching grant. The other item is that you require each department file for sales tax refund and if there are departments that are not doing this that you help them get that done. It is one of the items that we need to work towards with the fire association budget. We got through two situations with the IRS and we are squared away there and the next thing we need to do is get our sales tax refund which is 7 ¾ % of whatever we pay; some things we buy are a lot of money.

Appointment of the Fifth Member

Vice Chair Joe Perry stated that he believed there was at least one nomination for the fifth member. Bill Beutell said "I would appreciate the fire commission tabling this vote for a month because being new I have no knowledge of the people who are possible candidates and it would not be fair for me to vote for or against anyone until I have the opportunity to meet with these gentleman and to get to know them because I am really voting in the blind right now. There is only one person that has contacted me and I have personal knowledge of this person and have worked with him before and that is the only person that I know to vote for. In all fairness to the candidates, I want to have the opportunity to meet with them. I would like the commission to consider tabling this.

Motion by Matt McClellan and second by Johnny Mathes to table the appointment of the fifth member until the next regular meeting of the Avery Fire Commission.

Bill Beutell requested a list of the candidates. Joe Perry asked if anyone knew who the candidates were. Mr. Beutell said the one person that contacted him was Shane Garland. Johnny Mathes said that Corey Hughes has talked to him about the position. Matt McClellan stated that Dennis Aldridge and Mike Hayes have showed interest in this position.

Motion unanimous.

Paul Buchanan stated "I was not sure what was going to happen on the vote tonight. Mr. Danny Clark was on the committee with the two commissioners, two fire association members and two fire commission members which will meet next Tuesday night. I want to make sure that we get representation on all sides and want to make you aware of this." Joe Perry asked for a volunteer to be on the committee for next Tuesday night. Johnny Mathes stated "It was made clear that they did not want me on it so I don't guess it will be me. I don't know if it was a racial thing or what. Daryl made it clear that you for sure and definitely not me so I would decline the appointment." Charlie Franklin, Fire Department Coordinator, said he felt that with the new guys on the board you need someone with some history and need that knowledge going forth in that meeting and Johnny has been there the longest.

Junior Sluder stated "Johnny I know how you feel but let us start this meeting off with clear minds and start from this day forward and not look back but look forward and let this committee be the backbone of the fire service in Avery County; I ask that you serve on this committee.

Charlie Franklin said he did not feel it would be fair to throw Bill Beutell or Matt McClellan into this committee since they had just been appointed and had no prior history but that he had nothing against these gentlemen be on the committee.

Johnny Mathes accepted the appointment to the fire service committee.

Election of Positions

Joe Perry stated since there was not a fifth member then the fire commission could not have the elections. Paul Buchanan spoke up and said that the bylaws needed to be checked. He stated that he thought that there just needed to be a quorum for chair and vice chair and they needed to be elected within 30 days. Charlie Franklin stated that the fifth member would not have a say. Mr. Perry said that is the reason he did not want to do it tonight. Mr. Buchanan said the state statute says that it needs to be done within 30 days. It is specific in the fifth member but with the chairman, vice chair and so forth it is clear within 30 days. Johnny Mathes said that we have to vote for officers again in January. Mr. Perry said that was one of the mistakes that the fire commission had made. Mr. Perry said the point of order has been made.

Mr. Joe Perry stepped down as Vice-Chair. Charlie Franklin took over the meeting and asked for nominations for Chairman of the Avery Fire Commission. Matt McClellan nominated Joe Perry. Bill Beutell seconded the nomination. Motion unanimous with those voting.

Joe Perry took over the meeting as Chairman of the Avery Fire Commission. Chairman Perry opened the floor for nominations for Vice-Chairman. Matt McClellan nominated Johnny Mathes. Joe Perry seconded the nomination for Johnny Mathes. Motion was unanimous with those voting.

Fireman's Association request uniform changes for paid personnel

Paul Buchanan stated "It has been brought to my attention that some of the paid personnel have been concerned about the uniforms that they are wearing. One incident which I will not go into detail about happened where law enforcement was not present immediately and at that particular time the paid personnel showed up with the uniforms with the badge which I will refer to as the badge uniform. They responded on the call and got mistaken for law enforcement. The concern is the way that they are dressed. I have looked through the old minutes and I found in 2012 where a discussion of the uniforms was discussed but actually nothing set in place as far as a vote on the uniforms. My request is to look at the uniform policy. I don't want to get rid of the badge uniforms but maybe use them when they are doing the preplans or fire commission meetings or anything to do in the public eye but going to polo shirts for station wear. Most fire departments don't have the actual full Class B uniform but they usually have a polo shirt with EMS pants. The shirt with the badge is almost like a target on their chest. I would like to revisit the policy and changing the uniform to polo shirts and have t shirts underneath the uniform so they can take that off and work a brush fire or CPR call.

Charlie Franklin said that the meeting in June was when the existing personnel policy was voted on.

Chairman Perry asked Paul if he would call the departments and get everyone's ideals and present a package regarding this. Paul said that he would and Chairman Perry asked Paul to stress that this is the last time because we have done this 7 times. Paul said he thought that this was a safety issue. Charlie said he had worked on a rough draft on how to change the policy and keep the theory of the personnel policy. Johnny Mathes asked if Paul had anything in mind. Paul said that he didn't want to get away from the uniform shirt at preplans or fire prevention. Charlie handed out a rough draft of the policy regarding the uniforms. Paul said that it had been brought to his attention that in the last Fire Association meeting that they wanted the polo shirts with giving leeway to the chiefs on how to wear it. As far as color, the fire commission could decide. Charlie showed the polo shirts that the employees wore a couple of years back. Charlie asked if anyone had a problem with the logo saying Avery County Fire Service and then in the maltese cross would have the name of the fire departments. Kenny McFee asked that the paid employees be consulted on the color. Bill Beutell said he didn't have a problem with providing the shirts and it did need to be a standardized type of shirt where you continue to buy that standardized shirt. I like the idea of the logo. I think you can get a darker gray than what you got. Tell them to make a choice of red, blue, or gray and the majority rules. Charlie said once we go to polos the next thing that is coming is they will ask for heavy sweatshirts. Charlie said coats were voted on and he is waiting to order them with the uniforms and some of the personnel had looked at the coat the night of the meeting and liked it. This coat has a zip out liner.

Motion by Bill Beutell to allow the Fire Department Coordinator to purchase 51 polo shirts of color agreed to by a majority of the paid personnel as soon as possible. Motion seconded by Johnny Mathes.

Charlie said the board had discussed about buying the T shirts so we would know what T shirts they were wearing with the same logo and also hats. We need to discuss that again because there was confusion.

Johnny questioned how many T shirts that we are looking at per person. Bill Beutell said that he thinks the emblems should be standardized also. Bill and Johnny agreed to amend their motion to allow Charlie to buy 51 polo shirts and 51 T shirts in lieu of the uniform shirts which is an actual savings to the taxpayers.

Mr. Beutell stated that he would like to amend his motion and restate his motion.

Motion by Bill Beutell to allow the Fire Department Coordinator to purchase 51 polo shirts of color agreed to by a majority of the paid personnel at an estimated cost of \$30 each with a standardized emblem for consistency in the fire departments and approximately 51 t shirts with a similar emblem for the paid personnel. Johnny Mathes seconded the motion. Motion unanimous.

Bob Garland's Report on FDC Office Space

Bob Garland said that at the last meeting we talked about this issue. I was approached about having an office space at the Ladder Company Building at the entrance to Linville Ridge and we talked to the association members and they said it would be fine. The only stipulation is an increase in utilities and as long as the Fire Commission is willing to pick up the cost of that everyone is ok with it. We talked to Charlie about one space that was open and it was not going to be quite big enough for him and we talked about that at the ladder company. If you want to swap offices for a while then maybe possibly later on we can approach the board about finishing the top section of that building and if we do that we can have a bigger office and space that is suitable for whatever we need. The building on the upper section is set up to put occupants up there. We had it in the budget to put a set of steps and that is something if he goes up there would have to be addressed and the cost of that was about \$1100 to cut a door and put a set of steps in the bay area. The space is available to put Charlie's office in and if the office is too small we can swap sides with him. If we come to you at the end of the year and we have went over on gas or the light bill I figure you can kick in part of it. Johnny questioned when Charlie would need to move. Bob said that whenever he needed to move in would be fine. Charlie said the IT person for the county is going to get a quote for the cost of the internet service. He said he felt it would be better to get his own phone and internet service.

Johnny said just to give the two new board members an update. Charlie has to move out of his office in the county building and we had looked at different places for rent and one for purchase and the prices are so high so we asked to put him at the Ladder Company. Joe said this would be the cheapest way out. Jim Brooks said that this would allow Charlie to keep inventory of the equipment there and roll the truck a lot quicker.

Motion by Johnny Mathes to authorize the Fire Department Coordinator to move to the Ladder Company with the stipulation if the Ladder Company comes back to the Fire Commission requesting money for heating expenses, etc. that we will provide them with that. Seconded by Matt McClellan. Motion unanimous.

Charlie said that there will be an expense to move the internet and have a telephone system installed.

Crossnore's Request for Monies for Truck Breakdown

Dean Gibbs, Crossnore Fire Chief, explained that last week the brakes went out on the equipment truck and we do not have the money to pay for maintenance. Charlie said the cost of the repair was \$1,622.40 and Dean did prior to having work done call him and gave him an estimate. In the past it has not been a problem but we did not have anyone approved to make emergency decisions regarding the money.

Motion by Johnny Mathes to pay for the cost of repair for the Crossnore Equipment Truck. Seconded by Matt McClellan. Motion unanimous.

Banner Elk Truck Repairs

Gary Miller, Banner Elk Fire Chief, stated that a month or so ago I got an ok to repair the used truck that we had bought but due to the fact that there is a new commission I want to make sure that we are ok to get this repaired. It was just put in the shop this week. It has already been approved once. Charlie said the first estimate was brought before the Board and this Board approved to have work done and after it went down to the shop and they inspected the truck it actually came back it was going to be higher than originally approved; it was \$2793.13 additional funds that would be needed to fix that truck over the \$1900 that was originally approved. Gary made me aware of this and provided these estimates. Charlie said he wanted the Board to have knowledge of this. The total bill would be \$4693.13. Gary said "I want to make sure that if this is fixed we are not stuck with the bill. "

Motion by Bill Beutell and second by Matt McClellan to approve the Banner Elk Truck Repairs at \$4693.13. Motion unanimous.

Fall Creek Request for Equipment

Scott Stansberry, Fall Creek Fire Chief, said the reason he asked to be on the agenda was that the commission approved to buy equipment from the matching state grants and in that list was 5 pagers. Our new fire engine needs a drop tank and I was requesting to drop those pagers from the list so we could buy a drop tank for the truck. Johnny Mathes questioned if this would be the same price. The drop tank price from February was around \$1500 stated Scott. Bill Beutell questioned if they needed the pagers. Scott said his request was to delete the pagers to cover the drop tank and if there was money in between there to buy pagers then they could be purchased. The drop tank is priority now. We voted to buy pagers from the private funds so we can live without the pagers. Johnny Mathes questioned how much the pagers were. Scott said they were around \$400 a piece. This money was the matching part that the county gave us. Charlie said they had requested \$24,718.56 to purchase everything as needed and to get the truck in service and on 6/13/13 this board approved \$24,000 to purchase the list of things that was requested and in that was six new pagers.

Motion by Matt McClellan and second by Johnny Mathes to authorize Fall Creek Fire Department to drop the six pagers from the list of equipment to buy and to purchase the drop tank needed for the truck. Motion unanimous.

FDC Report

1. Approve Chairman to Spend Money for Emergencies

Charlie said that we need to approve the Chairman to spend the emergency monies. Before the amount was up to \$5000 that could be approved by the Chairman to be spent for emergencies.

Motion by Johnny Mathes to approve the Chairman to spend up to \$5000 for emergency use and the other fire commission members would be made aware of the monies spent . Seconded by Bill Beutell. Motion unanimous.

2. Newland Truck Request

Charlie said that he, Johnny and Matt had talked after the Association meeting if Newland could go ahead and order their new truck or not. I was not sure being we were under six month contracts. Under the six month contract, it was agreed upon that only operational, grant and pension money would be

expended; no capital money could be spent at that time. After talking to Johnny and Matt they felt like there would be no money changing hands until the truck got here. I posed that question to the county attorney and she replied that it should be addressed by the county manager. I spoke with the County Manager, Robert Wiseman and he said it was plainly spelled out in the six month contract that no capital money would be expended and he said during this time there would be no trucks bought.

3. Request from Fire Marshal's Office for FDC to Represent Avery County at the Emergency Management Conference

Charlie said that the Fire Marshal had requested that he represent Avery County at the EM Conference in Wilmington October 20, 21, 22, 23. All expenses will be paid by emergency management. David's wife's health is not good and he has requested that I represent Avery County. There is no cost to the fire commission. Charlie said in the past the county and fire association has received some things from that; the ID badges we were able to buy into the system for \$75.00; the cool vest system that we recently ordered and received for rehabbing the firemen during hot weather; and while I was at the meeting I spoke with someone about potable water for the fair board as they were having an issue with contamination of the well.

Motion by Bill Beutell and second by Johnny Mathes to allow the Fire Department Coordinator to attend the Emergency Management Conference in the place of David Charles Vance. Motion unanimous.

Johnny Mathes stated that it had been approved for Frank to purchase land. The landowner wants to close on Tuesday. This would not be money from this year's budget but what was set aside from last year. Chairman Perry instructed Charlie to check with the County Manager and to make sure everyone was communicated with and knew what was going on. Johnny said that he would bring a letter from the engineer to Charlie to keep on file where the engineer approved the land.

Charlie reported that he had applied for a grant for Avery County to receive smoke alarms. We did get the grant for the county and fliers have been handed out at the fair, the senior center and DSS. I will be asking the fire departments for their help on installing the smoke alarms. There is no charge. We have 54 alarms to start with and once the 54 are put up, the paper work is done and turned in we will get 54 more and it continues like that as long as we do our part.

Approval of Minutes August 8th Meeting

Motion by Johnny Mathes and second by Matt McClellan to approve the August 8th, 2013 meeting minutes. Motion unanimous.

Upcoming Meetings

The next Fire Commission Meeting will be October 10, 2013 at 7:00 p.m. The Fire Association Meeting will be October 3, 2013 at 7:00 p.m. at the Avery Ladder Building (Gwaltney Station).

Chairman Perry stated "You gentlemen are some of the finest gentlemen in the county. " Chairman Perry commented on the leadership of Junior Sluder, Bob Garland and others that had been in the fire service for many years. Chairman Perry said at the fire service committee meeting it was brought up about lack of communication. We need to all communicate and be nice about it. We need to work together and I would appreciate if the fire association would talk among themselves. We need a system

we can communicate with each other to make us aware of what is going on so we can do business quick and efficiently and all know what is going on.

Closed Session

Motion by Bill Beutell and second by Matt McClellan to go into Closed session at 8:20 regarding Personnel G.S. 143-318.11 (a)(6). Motion unanimous.

Chairman Perry declared the meeting to be back in Regular Session. There were no decisions made during Closed Session.

Motion by Johnny Mathes to hire Teddy Thomas to Fall Creek Fire Department for a full time position. Seconded by Matt McClellan. Motion unanimous.

Motion by Matt McClellan to fill an emergency position at Banner Elk Fire Department with John Tolley on a temporary basis for two 8 hours day a week and the part time position be re-advertised. Seconded by Johnny Mathes. Motion unanimous.

Charlie said Fall Creek Fire Department had a 1986 pumper/tanker and they have agreed to release that to the Fire Commission if the Fire Commission will entertain using it for a reserve truck. This truck could be a fill in as an engine or tanker if a fire department truck goes down for any period of time. There are some things we need to talk about. Chairman Perry said the first thing would be to ask the chiefs about it. Johnny Mathes questioned where we could keep it. Charlie said there was a vacate bay at the Ladder Company. Charlie said if he moves to the Ladder Company if there are calls where the ladder truck cannot get into or the ladder truck is cancelled if need be I can respond with that truck as a field point truck for extra water. The height of this truck would fit in every fire department in this county. Jim Brooks said it would be fine to keep it at the Ladder Company and we will figure out somewhere to put the Fire Safety House.

Motion by Johnny Mathes to accept the 1986 pumper/tanker from Fall Creek Fire Department as a reserve truck for the county. Seconded by Matt McClellan. Motion unanimous.

Bill Beutell said he appreciated the opportunity to be of service on the Fire Commission to the Fire Association and Fire Departments in the county. When I was a commissioner I worked hand in hand with the Fire Association as a liaison between the association and the commissioners and I was proud to be that liaison. I look forward to learning again about the workings of the fire association and commission in trying to achieve your goals and working on behalf of the county as well. I appreciate the confidence you have placed in me. I appreciate your support.

Matt McClellan commented that we need to let everyone know what our thoughts are and get those to the commissioners if we need to and I will do the best to do what I can. We need to keep the line of communication open.

Johnny Mathes stated that we all need to work together and if we have a problem we need to settle it as men.

Adjourn

Motion by Bill Beutell and second by Matt McClellan to adjourn this meeting at 8:45 p.m. Motion unanimous.

**Joe Perry, Chairman
Avery County Fire Commission**

ATTEST: _____