

**Harry Kim**  
Mayor



**Dixie Kaetsu**  
Managing Director

**Barbara J. Kossow**  
Deputy Managing Director

## HAWAI'I COUNTY FIRE COMMISSION

C/O 25 Aupuni Street #217, Hilo, Hawai'i 96720  
Phone: 961-8316 ; Fax: 933-1521

### **REGULAR SESSION - MINUTES** **March 8, 2006** **Liquor Control Conference Room** **Kona Center Building**

#### **CALL TO ORDER**

The meeting was called to order by Chair Maedo at 10:10 a.m.

#### **ROLL CALL**

##### **PRESENT:**

Neil Brazier, Co-Chair  
James Browne  
Dale Fergerstrom  
Rudolph Hart  
Karen Kudlo  
Karen Maedo, Chair  
Glen Matsuda  
Wil Okabe

A quorum was present.

##### **ALSO PRESENT:**

Kaycie Carter  
Laurie Kaneta  
Quince Mento  
William Morris  
Diane Noda, Deputy Corporation Counsel  
Darryl Oliveira, Fire Chief  
John Perry  
Betsy Tranquilli  
J. Curtis Tyler, III

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Commissioners: Neil Brazier, James Browne, Dale Fergerstrom, Rudolph Hart, Karen Kudlo  
Karen Maedo, Glen Matsuda, Wil Okabe

**STATEMENTS ON AGENDA ITEMS** (Open to the Public)

J. Curtis Tyler, III introduced himself and suggested that the Hawai'i County Fire Commission review and discuss its agenda with the Office of the Corporation Counsel. He believes that it is far too general to comply with the spirit and intent of the Administrative Procedures Act, Chapter 91. Improving the details on the agenda will help the public obtain sufficient information in order to know whether they should attend meetings.

Commissioner Okabe questioned whether he was referring to the Chief's report being more detailed.

Mr. Tyler stated that below the Chief's report, it reads, "may include," which remains the same on all of the Fire Commission's agendas. There is not enough detail to inform the public on what the Chief will be reporting. Also, the topics are not specified below Executive Session. He realizes that the commission may have set it up this way for the possibility of an issue arising. However, an individual cannot tell by looking at the agenda whether he or she can come and testify at an executive session, or what will be discussed, and this violates the APA.

Chair Maedo replied that below the announcement section of the agenda the commission agenda items for the next meeting. If it were not a matter that would prompt discussion that is currently known, then it would not be agenda item.

Mr. Tyler stated that he realizes that the commission would not be able to discuss issues that are not on the agenda. His observation is only that it is too general for a member of the public to know whether he or she should attend.

**STATEMENT ON AGENDA ITEMS** (Executive Session)

None

**APPROVAL OF MINUTES**

Commissioner Okabe moved to accept the February 8, 2006, regular and executive session minutes. Commissioner Hart seconded the motion. Deputy Corporation Counsel Diane Noda stated that she would like to make a correction to page 11 of the regular session's minutes. The paragraph below the Motion to Go to Executive Session was read off the agenda's general paragraph regarding executive sessions. It was read as a disciplinary charge against employees, which was reflected in the minutes. However, the executive session was held instead for a continued evaluation of an employee. The motion was amended to reflect this change and unanimously carried.

## **APPROVAL OF WRITTEN COMMUNICATIONS**

Commissioner Okabe moved to accept communication numbers 06-002 through 06-004. The motion was seconded by Commissioner Brazier and unanimously carried.

## **CHIEF'S REPORT**

### Budget

- FY 2006/07: The budget will be heard before the County Council on March 29, 2006, at 1:30 p.m. Although this year's budget is status quo, supplemental budget items were submitted. The Fire Department was recently informed that the items approved included the System Analyst position (this position will be funded and managed through the Department of Data Systems); Account Clerk; and \$79,308 for the Maintenance Shop's equipment.

### Alternative Funding and Grants

- FEMA FY 2005 Assistance to Fire Fighters Grant: Bid award proposal was completed and recently submitted to the Finance Department. A vendor will be selected to install the vehicle emission control devices at the stations. An update will be given at the next meeting.
- FEMA FY 2004 Assistance to Fire Fighters Grant: Bid was awarded. Fire Equipment Operator Mike Hayashida is in contact with Draeger Safety to discuss details of the grant award.
- Community Development Block Grant FY 2006 Grant Proposal: Recently informed by the Department of Housing that the proposal for the amount of \$850,000 to purchase a replacement fire engine for the Pahoia Fire Station and a fire tanker for the Pahala Fire Station was denied. However, the Fire Department was encouraged to submit another proposal for next year.

Commissioner Kudlo questioned why it was not approved.

Chief Oliveira stated that the CDBG funds are used for a number of projects. The Fire Department's request may have been on a lower scale of priorities compared to other projects.

### Capital Improvement Projects – Report provided by Projects Manager Nick AhYo

- Kalaoa Fire Station: Relocated the project to the Makalei site. A meeting was held on March 6, 2006 with the developer, who signed a right of entry document in order to allow the Fire Department to begin the archeological appraisal. A \$500,000 allocation request was submitted for the cost for the design. This will include the environmental assessment and the special use permit.

Chair Maedo asked whether the developer would sell or gift the property to the County.

Mr. AhYo replied that the developer would be gifting the property.

- Pahoia Fire Station: Although the Fire Department intends to get a contract out for construction by the end of the fiscal year, a problem has arisen with the entrance onto the highway. In anticipation of the Police Department developing a substation on the property, and the Department of Parks and Recreation developing a gymnasium and a ball field, the State's Department of Transportation requested a channelized intersection for the entire property. At the present time, the Fire Department does not warrant a channelized intersection because there will be a change of shift with eight personnel and it is not a high volume intersection. In order not to have this issue affect the project, the Fire Department will be working with the State to delay the development of the channelized intersection.
- Fire Administration & Support Facility: The draft of the floor plans for the third portion of the complex (the Training building) has been completed and sent out for comments by the respective division.
- Central Fire Station: The Mayor's Office has requested a survey of the property. Therefore, the HCFD has requested this information from the Department of Public Works and is awaiting a response.
- Central Fire Station-Retrofit Project: Last month the department advertised for bids. In response to that, no bids were received for this project. Therefore, the department will be readvertising for bids.

Commissioner Kudlo asked whether the septic tank issue at the Pahoia Fire Station was resolved.

Mr. AhYo replied that it was resolved.

Commissioner Browne questioned why there were no bids for the Central Fire Station's Retrofit project.

Mr. AhYo responded that the construction industry is extremely busy and there is some reluctance to take on work that deals with repairs and renovations. At this time, the construction companies are able to pick and choose jobs.

Commissioner Kudlo questioned whether the bids were offered statewide.

Mr. AhYo replied that he believes that it is advertised locally.

Chair Maedo stated that potential vendors in the government system would need to be preapproved and placed on a vendor list.

## Promotions and Hiring

- Internal Recruitments: Interviews and assessment centers for the Fire Mechanic position will be held on March 10, 2006. Continuing to work on the recruitment for the three Fire Radio Dispatch positions.
- Captain, FEO, and Prevention Inspector Recruitments: Conducted the Captain's assessment center on March 2, 2006. Appreciation was expressed to Commissioner Matsuda, who attended.

Commissioner Matsuda gave an overview of his observations.

Commissioner Browne questioned whether there was any consideration on placing a training facility in West Hawai'i.

Chief Oliveira replied that the administration's goal and mission is to have adequate resources in every community island-wide. At the present time, there are no training facilities on the island and it is necessary to pursue this need. The department is considering partnerships with private and other government agencies. Currently, an ongoing partnership is in progress between the County and the State's Department of Transportation Keahole Airport Fire Fighters. They are working on a design and the conceptual plans for a comprehensive training facility, and have included the Fire Department. The HCFD appreciates being included with this project, because land is limited in West Hawai'i, and financial support is limited. With the State and the FFA willing to put in the infrastructure and take the Fire Department's suggestions and build facilities that partnerships can use, it will allow the Fire Department to address this issue in West Hawai'i, and then follow with another in East Hawai'i. Also, once the burn-trailer is constructed and delivered, it will allow training in every community. The problem is with geography; the companies cannot commute to another area without compromising the coverage in their community. The burn-trailer will be mobile at the station. Another issue is with the buildup of the training program in the training division. Currently, there is only one training officer managing recruit and online training, certifications, etc. The HCFD has requested and will continue to request in its supplemental budget, resources that include staffing, to have a truly comprehensive training program. Furthermore, the Fire Fighter 1 program has just gotten off the ground. This program will address the departments need to have a formalized certification program that is administered by the Training Division, validated by testing and proficiency testing, and standardized across the entire island.

- Firefighter Recruit: Will be scheduling interviews for approximately 100 candidates to be screened for the next phase of the selection process. This will establish the 34<sup>th</sup> and 35<sup>th</sup> recruit classes. Target

date for the 34<sup>th</sup> recruit class is May 2006, and the 35<sup>th</sup> recruit class will follow in the Fall.

Commissioner Brazier questioned the number of recruits per class.

Chief Oliveira stated that there would be 20 individuals per class.

Commissioner Browne mentioned that he questioned a Fire Captain on whether he would want to be promoted to a Battalion Chief position. He was informed by the Fire Captain that there was not much incentive in pay to do so.

Chief Oliveira stated that from the Captains ranks on down their salary wage package is based on the collective bargaining process of the union's negotiations. The more aggressive and successful the union is in negotiating salary increases drives their wages up. The Battalion and Assistant Chief's positions; are excluded managerial positions, they are not tied to a negotiating bargaining unit. Their salaries are based on executive decisions by the Mayor and tied to the salary commission. This issue is not only limited to the Fire Department. It also occurs with the Police Department. Managerial positions are surpassed in benefits by the rank and file, which makes it difficult to retain good quality management personnel. These positions need to be compensated or the higher ranked individuals will make less money than their subordinates.

Commissioner Kudlo questioned when the Fire Mechanic position would be posted.

Chief Oliveira replied that it was already posted and the assessment center is scheduled for March 10, 2006.

Commissioner Matsuda asked whether there were records kept regarding individuals who reapply.

Chief Oliveira replied that the Department of Civil Service controls that part of the process.

#### Emergency Operations Division

- Bon Fire & Outdoor Rubbish Fires: In an effort to educate the public, the Fire Department will be distributing excerpts from the County Code relating to bon fires and outdoor rubbish fires. This will provide a basic understanding of regulations authorizing or prohibiting open burning and to promote and assure compliance. (see Attachment "A") Also, the Fire Department is working with the Office of the Corporation Counsel on the adoption of the uniform fire code. There is a need to

tighten up the burn ordinance or have some of those amendments placed in the uniform fire code prohibiting outdoor burning, with the exception of specific situations such as cooking purposes. The uniform fire code will define what a cooking fire is. The card will be used to inform and educate the community of the burn ordinance.

Commissioner Kudlo asked whether citations were given for illegal burning.

Chief Oliveira stated that the Fire Department does not have citation abilities. At the present time, the personnel will contact the Police Department.

Commissioner Kudlo inquired on the "no burn" day's schedule.

Chief Oliveira replied that it varies because of the weather conditions. At this time, the public calls the Department of Health. Also, some dispatchers receive calls on whether it is a "no burn" day. Once the ordinance is cleaned up, it is necessary to have the public more educated on the process of conducting burning.

### **Support Services Division**

#### Training Bureau

- 32<sup>nd</sup> FF Recruit Class: Graduation held on February 17, 2006. Appreciation was expressed to Commissioner Maedo for giving an inspiring speech.
- 33<sup>rd</sup> FF Recruit Class: Will begin their EMT training on March 15, 2006.

#### Emergency Medical Service Bureau

- Medical Director: Recently, finalized the contract with Dr. Judith Fitzgerald, who will be responsible for the oversight in East Hawai'i. Hopeful to have her on staff by the end of March.
- EMS Provider Meeting: Chief Oliveira will be attending the EMS Provider meeting scheduled for March 16, 2006, on Oahu.

#### New Projects/Business

- 2006 Legislature: Submitted a bill requesting funds for \$512,000 to support dedicated staffing for the air medical program. At the last committee hearing, they decided they would like to continue this discussion, but it's very difficult to support because of other programs that are lacking in staff. Chief Oliveira believes this is in reference to what is happening on Maui. Senator Baker shared her reservations that money is limited and the Maui program is a 50/50 split with the county and the state. The County of Hawai'i would be a 60/40 split. She is looking at how to make it more equitable. Ground ambulance personnel are being used to

staff the air medical program. They are taking the ground unit out of service every time the helicopter goes up.

The other bill regarding fireworks is the one that allows the retailers to partner with the Fire Department in the sale of fireworks permit. Through the bill review process, there have been amendments made to the original language submitted. One concern with the most recent version states that the vendor can sell permits but not fireworks. This defeats the whole one-stop-shop customer convenient concept. The bill hasn't died, and a specific comment was made on the record for further discussion.

- Media Relations: Continuing to pursue media relations training with Dr. Steven Miura. In the process of contacting the media, and identifying the key positions that will participate in the next training session. The objective with the next session is to partner with the Office of the Corporation Counsel, and have them provide an overview of some of the Fire Departments limitations, as well as government agency and HIPAA regulations on what can or cannot be disclosed to the media. This will help the media better understand why the department is sometimes limited to what they say and release. The other goal and objective with this training is to have the media meet face-to-face with the Fire Department's Chief Officers, and to build a face-to-face relationship so that they know each other and recognize each other, and appreciate what each is trying to do.

#### Employee/Public Relations

- Waikoloa Fire Station Open House: Scheduled for Saturday, March 25, 2006, from 10:00 a.m. to 2:00 p.m. The goal is to educate the community on what the Fire Department does and what that particular station provides the community. The West Hawai'i's Hazmat unit will be highlighted. Appreciation was expressed to Commissioner Browne for his assistance.
- 4<sup>th</sup> Annual Employee Awards and Recognition Dinner: Event will be held on March 18, 2006, at 5:00 p.m., at the King Kamehameha Hotel.

Chair Maedo thanked Commissioner Fergstrom for volunteering to speak at the event.

Commissioner Kudlo asked whether the Fire Department received its three new ambulances.

Chief Oliveira replied that they arrived. The only ambulance that did not go out was the Ocean View ambulance.

Deputy Corporation Counsel Noda stated that the ambulance has two parts - the front cab area and the boxed medical part - and the VIN

numbers are supposed to be the same. But when the Fire Department went to register the ambulance with the Department of Motor Vehicle registration, they learned that the VIN numbers were incorrect, and there was an incorrect lien. The Fire Department is trying to get this issue resolved. Also, the Office of the Corporation Counsel is speaking with the community association to see whether they will be willing to donate the ambulance to the county, rather than the County leasing it from the association. Their main concern is that the ambulance services the Ocean View area. Therefore, Deputy Corporation Counsel Noda proposed that the county have a memorandum of agreement with the association, as well as a resolution accepting the donation.

Commissioner Kudlo asked whether the Ocean View Community Association was leasing it.

Deputy Corporation Counsel Noda replied that the association bought the ambulance through a grant and proposed leasing it. By leasing it, they retain ownership, and can specify that it stays in their community.

Chief Oliveira stated that the Carrus Foundation of New York approached the Ocean View community regarding providing them with funds to purchase the HOVE ambulance. The agreement was established between the community and the Carrus Foundation on approximately \$168,000 to purchase the ambulance, the AED's, and the EMS equipment. The community was given the money and bought the ambulance using the Fire Department's specifications for the vehicle. They did the negotiations and purchasing through the vendor. Because the association owns the ambulance, Deputy Corporation Counsel Noda is trying to establish a use agreement so that the vehicle will be part of the county's inventory. This will allow the HCFD to maintain and replace the vehicle in the future.

Commissioner Fergstrom inquired on the different VIN numbers.

Deputy Corporation Counsel Noda stated that the last digits were different. They come from two different manufacturers.

Chief Oliveira stated that when companies build ambulances, the chassis will come with a VIN number, and then go to a vendor who will put their own identification number on the modulants on the back half, which is a component for that unit.

- American Red Cross "Hats Off" Campaign: Recently, participated in the campaign to raise awareness and fund the American Red Cross. Held on March 4 at KTA Puainako and Kailua Supermarkets. Representatives

from the County included the Fire Department, the Police Department and Department of Civil Defense.

- EMS Week: Scheduled to begin the week of Sunday, May 28, 2006, at Liliuokalani Gardens. In the process of identifying a recipient for the proceeds. An update will be given at the next meeting.

### **NEW BUSINESS**

- Budget Presentation; and
- Overview of the Fire Department's progress and accomplishments provided by Chief Darryl Oliveira. (See Attachment "B", pg. 1-15)

### **UNFINISHED BUSINESS**

- Follow up on the Fire Chief's evaluation.

Commissioner Fergerstrom drafted a letter to Mayor Harry Kim. Chair Maedo made corrections and Kaycie Carter will finalize the draft on the Fire Commission's letterhead. Commissioner Fergerstrom will sign and forward to the Mayor.

### **COMMITTEE REPORTS**

Budget & Finance (Hart/Matsuda) No report.

Office Management and Staffing (Brazier/Okabe) No report.

Rules and Policies (Maedo) No report.

Public Relations (Browne/Kudlo)

- Waikoloa Fire Station Open House: Commissioner Browne will be distributing the Waikoloa Fire Station's Open House flyers to the Condominium Associations in the area and seeking approval of the Waikoloa Elementary School's principal to distribute to the students. Also, Commissioner Browne will be distributing the flyers to the public on Thursday and Friday at the Waikoloa Village Supermarket.

Training and Education (Brazier/Maedo) No report.

### **PUBLIC STATEMENTS**

None

### **ANNOUNCEMENTS**

- The next meeting is to be held on Wednesday, April 12, 2006, at

10:00 a.m., in Conference Room 105A, Hawai'i County Building,  
25 Aupuni Street, Hilo, Hawai'i.

Chair Maedo asked whether there were any comments regarding a more detailed agenda.

Deputy Corporation Counsel Noda suggested that the Capital Improvement projects be listed.

Commissioner Fergerstrom suggested deleting the word "may" below Chief's report.

Deputy Corporation Counsel Noda stated that it was changed last year because occasionally the Chief may not report on every item listed.

Commissioner Fergerstrom replied that the word "may" was confusing. It should state that Chief Oliveira will report on the items listed, and if it comes to the point where he has nothing to report, than he can just move to the next item.

Deputy Corporation Counsel Noda agreed that the phrase should be left out.

Commissioner Kudlo questioned whether the Chief's report could be itemized, especially if it pertains to a certain area of the island, for the public to be informed.

Chair Maedo stated that this is one comment coming from one individual and the commission needs to balance it with the reasonableness of how the commission operates. There is an opportunity to agendize at every meeting, which the commission put in place for the very purpose of meeting its current need. After hearing other's concerns in this regard, she feels the commission is doing what it is supposed to do.

Deputy Corporation Counsel Noda stated that the other boards and commissions she is assigned to have specific projects, which list the specific projects issues. She commented that the Capital Improvement Projects are the issues that the community might be focused on. Therefore, it should be listed.

Commissioner Fergerstrom asked Commissioner Okabe how different the Fire Commission's agenda is from the Police Commissions.

Commissioner Okabe agreed that the Capital Improvement projects are general. There should be a statement touching on what is going to be discussed.

Commissioner Fergerstrom asked what Capital Improvement projects would be discussed at the next meeting.

Deputy Corporation Counsel Noda stated that the Chief would need to notify Kaycie on what will be reported before she posts the agenda.

Commissioner Okabe stated that Mr. Tyler mentioned Chapter 91, "with intent." This is an awareness of certain items that need to be included. It is basically a communication issue for the public and it needs to be addressed.

Commissioner Hart stated that it is necessary to make improvements when issues arise.

Chair Maedo requested that Deputy Corporation Counsel Noda review and improve on the language of the agenda.

Deputy Corporation Counsel Noda said that she will be making changes and will work with Kaycie to have the executive session provision be consistent with the wording of the statute.

Commissioner Browne questioned whether it could state executive session as needed.

Deputy Corporation Counsel Noda stated that she would prefer that it remain the same.

Commissioner Kudlo concluded that when there is a community issue it should have a subtopic under the item.

- Set agenda for April 12, 2006, meeting.
  - Overview of the Volunteer program by Chief Darryl Oliveira.

Meeting was adjourned at 11:55 a.m.

SUBMITTED BY:

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KAYCIE A. I. CARTER  
Secretary