

Iowa Firefighters Association  
Board of Directors' Meeting  
June 11, 2016 – 11 a.m.  
Mt. Pleasant, IA

Present: President Mark McNees, 1<sup>st</sup> VP Bill Halleran, 2<sup>nd</sup> VP Marv Trimble, 3<sup>rd</sup> VP Jim Shutts, 4<sup>th</sup> VP Gene Evans, 5<sup>th</sup> VP Nick Riley, Past President Brad Yeager. Absent: Executive Director Wendy Lensing.

President Mark McNees called the meeting to order at 11 a.m. He thanked Chief Kinney and the Mt. Pleasant Fire Department for hosting the meeting and presented them with a statue.

Motion was made by Marv Trimble and seconded by Jim Shutts to approve the agenda. Motion carried.

Motion was made by Bill Halleran and seconded by Gene Evans to approve the minutes of the last board of directors' meeting held January 24, 2016. Motion carried.

Executive Director's Report:

Wendy was unable to attend due to a schedule conflict. President McNees read a report from her: Sorry I'm unable to be there today.

I've been sending names to Ashley Hockman when someone calls or e-mails about working at the Hall of Flame. I know there are still lots of shifts available so please contact her if you would like to work.

I am still needing more drill officials for convention. Please contact me if you would like to help out. If you have experience with the drills – perhaps you have competed in the past and have decided to take a break from that but would still like to be involved you are the person we are looking for!

There are still quite a few departments that have not paid dues for 2016. I've been working with several that had incorrect amounts paid and getting that piled whittled down. We will be contacting departments that are delinquent.

I apologize for everything taking a bit longer than usual lately. I appreciate everyone's patience and support. Unfortunately there have been more delays in reaching any resolution to our situation so I will keep trying to get things done as best I can and as timely as I can.  
Thank you.

Officer's Reports:

1<sup>st</sup> VP Bill Halleran:

Thanks to Chief Kinney and the Mt. Pleasant Fire Dept for hosting today's meeting. Back when I was in sales, I would stop here occasionally and I can say that this community should be proud of what the Mt. Pleasant Fire Department offers them. They are a top notch group.

This summer has been pretty slow so far. Since the legislation session ended we felt somewhat of a victory in keeping the Fireworks Bill from going anywhere. This was killed in the Ways and Means Committee therefore not going any further. We are fully aware that this is by no means a dead issue and we can only imagine they will be coming back with a vengeance next year and we will be prepared to fight them off again. Please contact your legislators to oppose any of these further talks.

Many of the other State Capitol legislation topics can be read in the June copy of the Iowa Firefighter Newsletter

President McNees, Executive Director Wendy Lensing and I went to Washington DC to meet with our legislators and also attend the National Volunteer Fire Council. These meetings are booked a long time in advance and we were disappointed to learn that the legislators were on recess during our time there, we were able to meet with all of our legislators staff delegates. Each meeting went very good as we laid out our bullet points to them. It was very rewarding to know they were taking notes and respected our stances on a variety of topics.

It appears that Fire Convention is filling up quickly. The campground is looking good as they have been posting pictures on Facebook. We look forward to this event every year as the brotherhood and sisterhood bring out the camaraderie we all enjoy.

I know Wendy talks about this quite a few times, but please be a volunteer for the Hall of Flame which is at the State Fair. Dates are Aug. 11-21 with (3) shifts each day. Morning shift is 0900-1300, afternoon shift if 1300-1700 and evening shift is 1700-2100. Each volunteer receives a free t-shirt and free admission to the fair. Email Ashley Hockman at [alhockman@gmail.com](mailto:alhockman@gmail.com) to sign up. Any and all help is greatly appreciated.

2<sup>nd</sup> VP Marv Trimble:

The fireworks bill died in the Ways and Means committee this year. There is more opposition than some expected after last year. I testified at a senate sub-committee meeting. No one from the fireworks lobby even testified. I think they thought it was a slam dunk. With all that said, they are probably not going to take anything for granted next year. We need to be talking with our legislators so they know we are opposed.

On April 16<sup>th</sup> Michelle picked me up from the airport after being gone a week to TEEEX for an advanced interior shoring class. We drove directly to the Hiawatha awards banquet. I guess not directly, they forgot to tell me of the change of venue. Anyway, I was able to give William Mackin an award for 20 years of service to the Hiawatha department.

May 11<sup>th</sup> I drove from work to Garrison, did a quick change into the Red coat, and off I went to Adel. Did anyone know Adel was Nile Kinnick's hometown? It's right in the middle of Cyclone country. I made the speed run to the Dallas County Sherriff's office for the governor's signing of Senate File 2326. This bill starts the state wide radio network. Did anyone see me in the pictures?

Now for two events I dread, but needed to attend to honor the fallen firefighters. First was Davenport's Lt. Mark Kakert on May 23<sup>rd</sup>. He had a heart attack at age 55 after 29 years of service to the community. He never had a chance to enjoy retirement. The other was a Battalion Chief when I joined the Cedar Rapids fire department in 1987. Jack Kepler joined the department in 1960 and retired in 1994. He was able to enjoy his retirement for 22 years.

Time for the safety talk. It is hot now and will be for a while. Remember, when you are on the fire ground to keep hydrated. It's easy to work yourself into a heat related emergency. Our gear keeps the hot out, but also keeps it in. Call for extra help before leaving the station and use them. Rotate out crews to rehab and remember the number one priority. You!

Be safe.

3<sup>rd</sup> VP Jim Shutts:

There has not been a lot going on since midyear. I have made a few presentations for years of service; one to Grinnell for Steve Bernemann the other to Chelsea for Jerome Behounek. Steve had 35 years of service to his community and Jerome had 23 years. The legislative season came to an end with the firefighters making the win with the CO detector bill getting signed into law. I call it a win by defeating the fireworks people but no doubt they will be back next year so don't let your guard down for a minute. On the 911 funding bill we did win the 60% return to the local PSAP's but did have to give up some funds for a one time shot in the arm to the state interoperable radio system. We stayed even ground on the training fund. Vice President Evans and myself went to the pre- convention meeting in Waverly they seem to have all their ducks in a row and progressing wonderfully on welcoming Iowa's firefighters to Waverly in September.

4<sup>th</sup> VP Gene Evans:

I echo my thanks to Mt. Pleasant FD and Chief Kinney. Kudos to you for hosting our event today. I've attended a few things since Mid Year. One, I had the outstanding opportunity to go to the Fairbank Fire Department and present a 30 and a 50 year certificate, greater than ¾ of a century of service from 2 individuals there. The 50 year person had retired just before the awards banquet so that was an honor. I also attended the Worth Co. meeting up my way and it was also a HazMat refresher course. The media was there and guess who got nominated to do the interview?

Jim talked about pre-convention. I will say the campground is looking to be in excellent shape. Most of it is high ground, most of it is very level. The spots that are filling last are on a bit of an incline so if you are in the NW corner you need to bring plenty of blocking. It's looking to be in very good shape.

I'd also like to echo the others by saying please consider volunteering to help at the Hall of Flame booth. If you haven't worked it, it's a hoot. It's wonderful PR and if we can save just one kid by spending our time there then it's well worth it.

5<sup>th</sup> VP Nick Riley:

I'd also like to thank Mt. Pleasant for hosting us today. I grew up here. At our next meeting in Traer I will be giving out 2 certificates for 30 years of service.

I also am glad that the fireworks bill didn't go through.

I've been looking forward to this weekend because this is the first time I've been to the memorial. I remember when my dad was on this department he took me to see it when I was a little kid. I'm really looking forward to it this year and being part of it.

Past President Brad Yeager:

Thank you to Mark and the rest of the board for your efforts this year. I'm looking forward to this weekend.

President Mark McNeas:

I'd like to thank Mt. Pleasant for hosting. We try to get out to different parts of the state so the members can get there and to see different departments. We appreciate that you were willing to host today.

I went to Madrid the 1<sup>st</sup> of June and did a retirement certificate for 32 years for Ed Pecenka. It was a nice public event they had for him.

We have a 50 year presentation coming up in Atlantic also. Unfortunately this individual has cancer and we're trying to get a date set soon to have this. I would also like to have someone besides myself there for representation if possible.

Bill mentioned the DC trip. I think it was very productive despite the fact the legislators were not there. The NVFC and CFSI meetings are scheduled a couple of years out and when the meetings are scheduled there is no way of knowing that they would be on a recess at the time. The staffers actually do a lot of the work and research for the legislators anyway and our meetings with them went very well and some of the NVFC legislative priorities that we discussed with them Congressmen Loeb sack, Young and Blum are already signed on to. There was also good interest from them on the items that had not yet been signed on to.

We did attend parts of the NVFC conference while were there as well. One of the biggest and most important ones that we went to was the live feed of their cancer presumption seminar. Last year we attended a discussion on this also and this was a little more in depth. I started some discussion with our legislators on getting something done in the state of Iowa. I soon figured out I didn't have time to push that very hard and be President at the same time. The discussion had started though and hopefully next year I'll have time to push that a little more. We've got some good reception. There will be a ton of working parts in this though. It will be a process. It will have to involve workmen's comp and insurance companies. Other states are getting it done though and we have some good examples to follow. We also have met some good contacts that are very involved with cancer prevention and presumption and what is going on with firefighters in the U.S. so I think we can bring them on board and have some productive meetings in the next few months as we get ready for the next session.

Legislatively I think we were pretty successful. We'd always like to see increases for the Fire Marshal's office and training and everything gets level funded but the way the budget was and some of the issues you have to take that as a victory that we didn't see any cuts because a lot of things did, although that is still a cut because their costs continue to go up. Fireworks, as we said, we know that will be coming up again. We'll discuss more on this later with Skylar but it was brought up late in the session about some emergency response immunity that associations that do EMS don't have. We tried to ram something through but it was just too late. There is interest in doing that though and we'll discuss that later.

The Denison fire safety trailer has been taken over by Orange City Fire Department and is now registered under the IFA and is officially part of our fire safety trailers with the Elks program. Orange City will be housing it which puts it in a good part of the state to spread the coverage. Along those lines the Elks Major Project is to fund the trailers. A letter was sent out to departments with the dues inviting them to enter a raffle and I'm happy to say that the Marble Rock Fire Department won \$2000 this year. Congratulations to them.

I want to thank the board for all their efforts this past year. Thanks to Wendy also. It's been a difficult few months and she's battling through it the best she can and getting done what needs to be done and we're holding it together. I'd also like to thank the committees for stepping up and doing some of the things that they should have been doing that had been dumped on to her plate.

Financial Report: President McNees reported financials :

Total assets of Iowa Firefighters Association as of May 31, 2016 were \$528,226.85. Total assets of Iowa Firemen's Foundation as of May 31, 2016 were \$58,281.44. \$2,449.66 of that is the Smoke Detector Project Account with the rest belonging to the Foundation.

Motion to approve the financial report was made by Bill Halleran. It was seconded by Marv Trimble. Motion carried.

Committee Reports –

NVFC – Bob Platz:

Thanks to the board for coming out to D.C. Even though the legislators were not there speaking to the staff is great as they are the ones that get the information to them anyway. Attending a few of our meetings was great. It was nice for other states to see such a great turnout from Iowa. I did think too that the cancer webinar was really good.

Hope Janke spoke about the PSOB. She talked about the delays in the process. Now they are going to be going to a computer system which hopefully will be a lot faster.

I read grants two weeks ago and I thought the grants this year were poorly written. We've had a lot of conversation about it. A lot of departments just do not know how to write a grant. Some were asking for funds for 401Ks and stuff like that and that is not what these grants are designed for. NVFC is going to try to talk to people and tutor them to explain what they are doing wrong.

I'm also reading grants for Globe. They are giving out turnout gear.

On May 25 the Senate Appropriations Committee approved S. 3001, the FY 2017 Department of Homeland Security Appropriations Act. The bill provides \$340 million each for the Assistance to Firefighters Grant (AFG) and Staffing for Adequate Fire and Emergency Response (SAFER) grant programs. The bill also provides \$44 million for the U.S. Fire Administration (USFA). In both cases the funding level provided is lower than what the National Volunteer Fire Council requested but higher than what President Obama proposed in his budget.

On June 8 the House released their DHS appropriations bill. It includes \$345 million each for AFG and SAFER. That's less than we asked for but more than the Senate bill.

Memorial Committee – Mike Reuman:

Mike asked Ellen Hagen to let everyone know that the memorial is being set up as usual. Reminder to the board that as part of the committee it is part of their job and spouses to help with selling the merchandise, handing out programs, handing out candles, lighting candles, etc. He will be there tomorrow morning around 8 a.m. and would appreciate help around then for setting up again and taking care of those same things. Afterwards, help is needed with teardown and clean up. Space is being saved for Hancock and Seymour families.

President McNees said that a long-range planning committee for the memorial was set up at Mid Year and Past President Joe Specht is the chairman of that committee. They will be meeting at 3 p.m. today.

## Legislation:

President McNees said John Pederson had a visitation he had to attend and was not able to be here. He is still in touch with him constantly on issues. He did send an e-mail yesterday saying that John Schilling resigned from Cedar Falls Fire Department. He is President of the Iowa Professional Fire Chiefs Association. Lynn Washburn from Davenport is Vice President now and will become President. Not sure of the timeframe for changeover.

## Guests:

Fire Marshal Jeff Quigle:

Thank you to the board for all your efforts during the legislative session.

The SFM Division currently has **23** confirmed fire deaths reported for 2016 to date. The SFM Division had **18** Fire Deaths reported for 2015 on this date.

Acting Fire Service Training Bureau Chief Kyle Gorsh completed and submitted an AFG-FPS (Assistance to Firefighter Grant/Fire Prevention and Safety) this Fiscal Year to continue to purchase smoke detectors for installation throughout the state. The SFM Division continues to partner with the IFA and the Central Iowa Chapter of the American Red Cross regarding distribution and installation of smoke detectors throughout the state. Due to the continued support by Iowa's Fire Service the SFM Division did not change the Administrative Rules requirement of dual sensor smoke detectors to the 10 year sealed lithium battery smoke detectors.

The State Fire Marshal Division adopted the 2015 International Fire and Building Codes which were effective May 2016.

Our new web based Image Trend Licensing Management system went on line on June 7, 2016. The website address is <https://iowa.imagetrendlicense.com/>. Currently all above ground storage tanks that are required to be registered and all licensed fire protection companies through the State Fire Marshal Division are listed in the database. We intend to add Building Code Plan Reviews/Inspections, Fire Alarm Contractors/Installer Certifications and Explosive Contractor/Individual Blasters to this web-based data base.

Fire Service Training Bureau Chief Randy Novak retired on June 2, 2016. We are in the initial stages of completing the required paperwork to receive approval to fill the Bureau Chief position.

Our Pro-Board Accreditation was suspended in January 2016. We are working diligently with the Pro-Board to regain our Accreditation.

Our International Fire Service Accreditation Congress is coming due in 2016. We have already asked for an extension regarding the upcoming site visit.

State Fire Marshal Division supervisors conducted an audit of the Fire Service Training Bureau certification program in April 2016 and found completed tests with incorrect scores. We are taking the necessary measures to rescore tests and notify students of their actual scores. We apologize for this situation and to ensure the integrity of the Certification program accurate test scores need to be sent to the students.

We are currently drafting a letter of explanation regarding the Fire Service Training Bureau that will be distributed to the Fire Service.

We have been working with Pearson Vue to establish certification testing centers throughout the state. We hope to have some of the sites up and running in July.

We are working with the Iowa Society of Fire Service Instructors on several initiatives to strengthen and build our relationship with the Society and to implement programs to provide the best instructors and evaluators to Iowa's Fire Service.

We took delivery of the new 4 story mobile drill tower last month. This portable drill tower has a standpipe, sprinklers, a smoke machine and the capability to have repelling exercises.

Fire Service Training Bureau - Jim Kenkel:

As some of you know we tried to do on-line registration for the last fire school. We are continuing to work with this. Our goal is possibly to have on-line registration for the next fire school. It will help our staff resources tremendously. Right now our fax machine is broken. We are unable to receive faxes. If on-line registration will work we would like to do that exclusively. We would rather not take any faxed or mailed registrations at all then. Question if there would be push back from some departments that may not have computers. Payment could either be paid on-line with credit card or billed to department but payments would not be taken at the event.

The training bureau does have a Facebook page now also. There is a message both on the website and the Facebook page that the fax machine for the training bureau is broken and as soon as they have a new one they will post a notice of that.

The FSTB is working on an all-inclusive state calendar that has the events for all emergency response events – local, state, national conferences. We want to try to get away from putting things on top of each other.

We also received a grant to get a Hazmat training prop.

California Casualty – Stephanie Whitmore

Stephanie is the new Iowa and Nebraska representative from California Casualty. She wants to provide info to members, department events, maximize California Casualty benefits. They just announced a 7% rate decrease for the state of Iowa. Turnout gear is covered. They are giving away \$10K of DeWalt tools right now (or cash). She would like to visit with departments around the state.

Unfinished Business: none

New Business:

Doug Kolkman – President Iowa Society of Fire Service Instructors:

I want to begin my report by emphasizing that we have a strong progressive partnership with the Fire Service Training Bureau as we work together in the planning and organizing the instructor's conference. The conference is planned for November 11-12 in Ames. We are under 5 months away. On May 12th we had a refreshing experience where the Society Board and the FSTB were able to put together the conference agenda. We have a pretty good line up of classes this year with some surprises in store. Kyle Gorsh, acting Bureau Chief of the FSTB reached out to the Society Board asking for our help to assist with guidelines as they work to ensure quality field staff instructors. Our mentoring policy was shared with them. As president, I would like to publicly thank Jim Kenkel, Kyle Gorsh, and Jeff Quigle for their support to the Iowa Society of Fire Service Instructors.

Skylar Limkemann – Discussion of Emergency Response Immunity Legislation/Issues:

Skylar served on West Burlington FD for about 7 years and then the Coralville FD prior to going into law school. He is now an attorney in Cedar Rapids.

He has been doing some classes with FSTB in the past two years on legal training for emergency responders across the state. Over 300 firefighters, chiefs and instructors have taken his classes so far. He would like to see a legal training program through the FSTB or IFA or somewhere to give firefighters, fire chiefs and fire officers a little bit of background on their legal duties. In going across the state he sees departments that are still not reporting and what people don't understand is a lot of these codes are criminal. If they are failing to report NFIRS it is actually a crime in the state of Iowa. They just don't know. They need to know civilly and criminally what the law is. Everyone is required to know what the law is and courts presume you know what the law is.

There are some issues to him doing training through his law firm and making sure trainings do not cross into legal advice and cause malpractice insurance issues. He is trying to get things worked out and if he's not able to do so through his firm he and some others may form a consulting company to provide trainings to departments.

There are departments in the state that do not have adequate policies and procedures for responding to emergencies. Some policies and procedures if they have them at all are inconsistent with Iowa law. Fortunately emergency response immunity provides immunity for municipalities but the problem is plaintiff's attorneys are taking some cases all the way through trial trying to get a settlement even knowing that the law is against them.

There are gaps in the code. Some departments are non-profit corporations and the way the present code reads it says "municipality", which means city, county, township, school district and a catch-all phrase that says "any other unit of local government". Is a non-profit corporation that provides fire or EMS or rescue service fully covered under the phrase "any other unit of local government"?

We need to make sure that everyone whether they are a non-profit, a city, a benefitted fire district, is getting the same emergency response immunity. That is currently not the case. It is very well possible that if a non-profit department out there right now got sued today they would not be able to use emergency response immunity. That is the number one immunity that these cases are defended on. If that is not available there is an emergency vehicle defense but the code is very poorly worded and it employs a recklessness standard and they will argue the fact to say you were reckless.

It is in our interest to get the education out to people to be sure they know what they need to be doing to protect themselves civilly and criminally. Insurance will not protect against criminal charges because those are considered intentional acts.

Responding to emergencies is the big topic. Second to that is motor vehicle collisions involving emergency vehicles. One of the problems that we have and that goes to a funding issue, but also an issue with the code is that departments are not equipping their emergency vehicles properly. If you have a huge ladder truck you should not be putting a 100 watt siren in that and scattering a few lights on it. It is huge. Cars are built better and quieter. One thing that Skylar is proposing is amending the code to require that all new emergency vehicles purchased after a certain date be equipped with 200 watt sirens. There is evidence that 200 watt sirens clear traffic better because people are able to hear them. This would just be for new vehicles purchased after a certain date and not retroactive because they don't want departments pushing back about an unfunded mandate.

Emergency lights are another issue. We have a problem in the state with lights that are too dim and no one can see them because departments don't have funds to purchase LED lights, or on the flip side, they purchased brand new LED lights and they are too bright and they are causing secondary collisions on the highway. Something will need to be addressed on this issue. Wig wag headlights, blue lights were also discussed.

A lot of insurance carriers in the state will not cover Explorer programs in departments. Departments need to check with their insurance companies to be sure that they are going to be covered if they have an Explorer program.

Skylar said that he thought if legislators got on board with requiring physicals that insurance companies would be more apt to go along with something like cancer presumption. The whole issue is that people are being put on the job now that have no business being on the job whether it is volunteer or career. Some people are just physically not able to do the job and it's for their own good and for the good of the other firefighters. A funding mechanism would need to be put into place as many volunteer departments would not be able to afford physicals.

EMD is another issue Skylar discussed. There are dispatchers that are dictating how emergency responders respond to calls. He is of the legal opinion that dispatchers should not be dictating with absolute authority that this is how you should respond to a call because they are not out there on the road at the time. That should be left to the discretion of the responder.

Bill asked if Skylar would consider putting articles in the newsletter.

There are a lot of lawyers that don't understand the issues with fire and EMS laws.

There was discussion on what insurance will and will not cover when responding in your personal vehicles.

Skylar has been researching the possibility of a program being put into place where IFA could have him on a retainer and departments as a benefit of membership could utilize his services at discounted rate. A program would have to be in place. There are still some issues that need to be addressed. Discussion will be continued.

Marv Trimble made a motion to adjourn. It was seconded by Nick Riley. Motion carried.

Meeting adjourned 2:00 p.m.

Respectfully submitted,

Wendy Lensing  
Executive Director