

COUNTY OF KAUAI
 DRAFT Minutes of Meeting
OPEN SESSION

Board/Commission	Kaua‘i Fire Commission	Meeting Date	March 4, 2019
Location	Mo`ikeha Building – Meeting Room 2A/B	Start of Meeting: 2:00 p.m.	End of Meeting: 4:28 p.m.
Present	Chair Chad Pacheco; Vice Chair Linda Kaauwai-Iwamoto; Commissioners: Alfredo Garces Jr., Alfred Levinthol, Clifton (Jimmy) Miranda (arrived at 2:25 p.m.) Thomas Nizo. Also present: Board & Commissions Office Staff: Support Clerk Mercedes Omo; Administrator Ellen Ching; Office of the County Attorney: Cameron Takamura. Public Testifier: Retired Fire Captain Colin Wilson.		
Excused	Commissioner Michael Martinez		
Absent			

SUBJECT	DISCUSSION	ACTION
Call To Order		Chair Pacheco called the meeting to order at 2:00 p.m. with six Commissioners present to conduct business.
Chair’s Comments/ Announcements	Next regular monthly meeting – 2 p.m. on Monday, April 1, 2019 at the Mo`ikeha Building, Meeting Room 2A/2B. Executive Session to follow.	
Public Testimony	<p>Chair Pacheco suspended the rules to allow public testimony.</p> <p>Retired Fire Captain Colin Wilson testified that he had thirty plus years of service in the Kaua‘i Fire Department of which eighteen years were spent as the Division Chair for the State of Hawai‘i Firefighters Association. He gave a brief history on how the firefighters had a large input into the formation of the Kaua‘i Fire Commission whose purpose is to address any concerns the firefighters have within the Department. He also stated that during Fire Chief Robert Westerman’s tenure the union never had any reason to come before the Commission. He shared that back in November 2018 as the Commission was conducting face-to-face interviews he came before the Commission to testify as to what attributes he felt that the new Fire Chief should have and that whoever the Commission selects to be the new Fire Chief he or she must be able to compromise and work well with the Fire Fighters Union.</p>	

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	<p>He voiced his concerns that it's been five months since the interviews and the Kaua'i Fire Department is still without a new Fire Chief and he's here today get answers and would like the Commission to be transparent when providing those answers as to: 1) whether or not the Commission is going start the hiring process again, if yes, what steps is the Commission going to take; 2) is the Commission is going to remain status quo and appoint the Deputy Fire Chief to be the new Fire Chief later on down the road; and 3) what the status of the candidate who interviewed back in November is. He noted that he does not expect to have the answers today, but whatever direction the Commission is going take the public has the right to know.</p> <p>Chair Pacheco opened the floor for questions.</p> <p>Mr. Nizo stated that the questions posed by Mr. Wilson should be addressed by the Commission's attorney and not the Commission. Mr. Morimoto <u>Mr. Takamura</u> stated that he would prefer the Commission go into Executive Session so he could get directions as to where the Commission is at in the hiring process after which the Commission can return back into Open Session to address Mr. Wilson's questions if at all possible.</p> <p>Chair Pacheco asked the Commissioners if they would like go into Executive Session and take care all business at once or wait until that portion of the agenda comes up to which Mr. Levinthol stated that he would like to make a motion to enter into Executive Session. Chair Pacheco said that he'll call for the motion to enter into Executive Session followed by a roll call vote.</p> <p>Mr. Colin <u>Wilson</u> thanked the Commissioners for their hard work and stated that the purpose of him coming before the Commission is to let the Commissioners know that people in the community are asking the same type of questions as well.</p>	<p>Mr. Levinthol moved to enter into Executive Session. Vice Chair Kaauwai-Iwamoto seconded the motion. The motion failed to enter into Executive by a vote of 3:2.</p> <p>Mr. Nizo: Nay Mr. Garces: Nay Chair Pacheco: Nay Mr. Levinthol: Aye Vice Chair Kaauwai-Iwamoto: Aye.</p> <p>With no further testimony, Chair Pacheco called the meeting back to order.</p>

SUBJECT	DISCUSSION	ACTION
<p>Approval of Meeting Minutes</p>	<ul style="list-style-type: none"> • Special Open Session Minutes of January 29, 2019 • Regular Open Session Minutes of February 4, 2019 <p>Chair Pacheco called for a motion to approve the Meeting Minutes of January 29, 2019 and February 4, 2019.</p>	<p>Mr. Nizo moved to approve the Open Session meeting minutes for January 29, 2019 and February 4, 2019. Mr. Levinthol seconded the motion. The motion carried 6:0.</p>
<p>Chief's Monthly Reports as of January 31, 2019</p>	<ol style="list-style-type: none"> 1. Fire Commission Reports 2. Fiscal Report 3. Daily Flight Hours and Alarm Data 4. Chief's Announcements and Pertinent updates <p>Deputy Chief Vaughan reported that January has been a busy month. The Department conducted a bunch of fire fighter training interviews and attended quite a few Council meetings. Notable mention is the vacancies that occurred at the end of the year due to people retiring from the Department but those vacancies were fill with the help of the 29th Recruit Class.</p> <p><u>Operations Bureau</u> There was a total of 3675 calls for service in Fiscal Year 2018/2019 down compared from the previous fiscal year of 3724 calls for service.</p> <p><u>Equipment & Apparatus Status</u> Nothing significant to report. Engine No. 4 is still partially mission capable and the Department is in the process of obtaining a new engine for final inspection by the end of the current fiscal year and will be housed at the Līhu'e Fire Station.</p> <p><u>Training Bureau</u> More refresher training courses have ramped up in February and the Commission can expect to receive a report next month. Notably mentioned was the Captain Boot Camp Training and the Helicopter Operations Training in which thirteen personnel attended each training.</p>	<p>Mr. Miranda moved to accept the Chief's Monthly Reports. Mr. Levinthol seconded the motion. The motion carried 6:0.</p>

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	<p><u>Prevention Bureau</u> There were 4 major structural fires in January and 172 calls for fire prevention inspections ranging from building permit plan reviews, certificate of occupancy inspections and 82 telephone inquiries.</p> <p><u>Ocean Safety Bureau</u> The report reflected gaps because the Department went live with the use of their iPads. The report should be on track by next month.</p> <p><u>Budget Report</u> Of an original budget of \$32,096,761.00 as of January 31, 2019 the percentage of expenditures was at 58.33% with a remaining 41.67%.</p> <p><u>Air 1 Monthly Report as of December 31, 2018</u> Total airframe monthly hours – 116.3 Alarm Data Hours – 4 Rescue Data – 2 Aircraft availability- 744.0 maintenance hours</p> <p>Mr. Nizo asked relative the Department's recruiting efforts what happens if a captain from another island wanted to transfer to the Kaua'i Fire Department would he have to go through the same recruitment process as the new recruits to which Deputy Fire Chief Vaughan replied that transfers of that nature are referred to as lateral transfers, but if there is no opening (i.e. for a firefighter III) the person could test-in to the recruit class and would have to undergo all of the training and would have to start from the bottom up.</p>	

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<p>Business KFC 2019-03</p>	<p><u>Discussion a communication dated February 21, 2019 from Deputy Fire Chief Kilipaki Vaughan to Chair Chad Pacheco and Members of the Kaua'i Fire Commission regarding the Department's Strategic Goals for the Commissions review.</u></p> <p>Deputy Fire Chief Vaughan stated that the five goals listed in his report are goals the Department have not yet accomplished and therefore would like to recommend that the Commission track of those strategic goals for this year.</p>	<p>Mr. Nizo moved to accept item KFC 2019-03 for the record. Mr. Levinthol seconded the motion. The motion carried 6:0.</p>
<p>ES KFC 2018-002</p>	<p>Pursuant to Hawai'i Revised Statutes §92-4 and §92-5 (a) and (2) and (4), the purpose of this Executive Session is for the Commission to deliberate and make a decision on the hiring of a new Fire Chief and other related matters where consideration of matters affecting privacy will be involved and to consult with its attorney on questions and issues pertaining to the Commission's powers, duties, privileges, immunities and liabilities as they may relate to this agenda item. (On-going)</p>	<p>At 2:47 p.m. Vice Chair Kaauwai-Iwamoto cited the Hawai'i Revised Statutes to take the meeting into Executive Session.</p>
<p>ES KFC 2019-003</p>	<p>Pursuant to Hawai'i Revised Statutes §92-4, §92-5 (a) (4), §92-9 (a) (1-4) and (b), the purpose of this Executive Session is for the Commission to approve the Special Executive Session Meeting Minutes of January 29, 2019 and Regular Executive Session Meeting Minutes of February 4, 2019 and to consult with its attorney on issues pertaining to the Commission's powers, duties, privileges, immunities, and or liabilities as they may relate to this agenda item.</p>	<p>Mr. Nizo moved to enter into Executive Session. Mr. Levinthol seconded the motion. The motion carried 6:0. At 2:49 p.m. the Commissioners entered into Executive Session.</p>
<p>Return to Open Session to ratify the actions taken in Executive Session</p>	<p>At 4:28 p.m. The Commissioners returned back into Open Session. Chair Pacheco called for a motion to ratify the actions taken in Executive Session.</p>	<p>Mr. Nizo moved to ratify the actions taken in Executive Session. Mr. Levinthol seconded the motion. The motion carried 6:0.</p> <p>ES KFC 2018-002: Motion carried 6:0 to have HR notify the candidates who met the requirements in the Charter that the Commission will be</p>

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		<p>restarting the hiring process and if they wish to, they should submit an application.</p> <p>ES KFC 2018-003: Motion carried 6:0 to approve the Special Executive Session Meeting Minutes of January 29, 2019 and the Regular Executive Session Meeting Minutes of February 4, 2019.</p>
<p>Adjournment</p>	<p>Before calling for a motion to adjourn the meeting, Chair Pacheco explained that the Commission was advised by its Attorney that because his questions were not part of the agenda the Commission is unable to address Mr. Wilson's concerns until its next meeting on April 1, 2019.</p> <p>Mr. Wilson asked in regard to minimum qualifications if the Commission could consider a person's years of experience as a fire captain, battalion chief and beyond regardless of whether they have a degree or not.</p> <p>Mr. Nizo noted for the record that he would like the public to know that the Fire Commission will continue to do its due diligence to find the right person to lead the Kaua'i Fire Department.</p> <p>With no further business to conduct, Chair Pacheco called for a motion to adjourn the meeting.</p>	<p><u>Motion</u> Mr. Nizo moved to adjourn the meeting. Mr. Miranda seconded the motion. The motion carried 6:0. At 4:28 p.m. the meeting adjourned.</p>

Submitted by: _____
Mercedes Omo, Staff Support Clerk

Reviewed and Approved by: _____
Chad Pacheco, Chair

Approved as circulated on

Approved as amended. See minutes of **May 6, 2019** meeting.