

MINUTES

Lawton Fire Department
Vehicle Accident Review Board
March 7, 2023
Public Meeting Room #200
Lawton City Hall
9:00 am

1. Roll call – meeting called to order at : 9:00 a.m.

MEMBERS PRESENT: Antonio Martinez, Corporal
Nathaniel Flood, Sergeant
Cobey Warren, Sergeant
Chris Jones, Captain
Candy Brown, Deputy HR Director
Kyle Nyhart, Chairman

GUEST MEMBER:

MEMBERS ABSENT: David Miller, Equipment Maintenance

OTHERS PRESENT: Donalynn Blazek, Legal and Lisa Dawsey, HR

2. Minutes

A. Approval of minutes from September 6, 2022.

Motion by Martinez Second Flood

Roll Call: Martinez - aye
Flood - aye
Warren - aye
Jones - aye
Brown – aye

AYES: 4 NAYS: Motion carried.

3. New Business:

1. Receive a presentation from City Attorney's Office regarding the Oklahoma Open Meetings Act

Discussion: Donalynn Blazek from Legal gave a brief overview of the Oklahoma Open Meetings Act. There were no questions or discussion.

2. B. Murray– Engine 4 (1/06/2023)

Discussion: Nyhart read the Chief's recommendation as Class C, 3 points. There was no discussion.

Motion by Warren to go with Chief's recommendation, Class C, 3 points
, second by Martinez.

Roll Call: Martinez - aye
Flood - aye
Warren - aye
Jones - aye
Brown- aye

AYES: 5 NAYS: Motion carried.

3. J. Marple—Engine 5 (1/21/2023)

Discussion: Trey Walker and Jaime Marple were present, so this new business item was discussed first. Walker and Marple were given an opportunity to discuss the incident. Walker stated they were clearing an EMR and heard structure fire tones. They were just two blocks away from the fire at the time, so he immediately started getting bunked out. He said that at some point, Marple stated he was backing up, but Walker's head was down as he was bunking out. Marple told him he thought he'd hit something. Walker got out to look and saw it was a decorative wagon wheel. He told Marple to proceed to the fire because of the nature of the call. Marple stated that he is a relatively new Corporal, but has been driving for about 19 years. He said "I know how to drive and I know what the consequences are when you make decisions". He explained that they had just cleared an EMR and tones were dropping on the radio. He was anticipating the call information, so going very slow down the road to prepare to proceed to the location. He said he realized he could delay the response by going around the block or do a 2-point turn and go a block and a half to the incident address. He made the decision to do the turn. He stated it was his decision to do the turn. Walker and the firefighter were bunking out and the radios were loud. Marple stated that the points are his due to the nature of the events. Walker commented that he recognizes he was the Officer on the truck and he should have stopped him as soon as he started backing up. Jones asked Marple for clarification as to where the incident took place. Brown reported that the address was reported incorrectly and should be 5717 NW Euclid Ave. Nyhart reported the Chief's recommendation. This incident should be a Class C with 3 points. Corporal Marple should receive 2 points and Sergeant Walker should receive 1 point for not instructing Marple to wait for a spotter to back the vehicle or to drive around the block. Warren stated that while he understands that Marple wants to take ownership of his mistake. Walker as the Officer should have taken the time to enforce the policy and not let the truck be backed without spotters. Jones said he felt like if the Officer had told the

driver to stop it would have taken the liability off of Walker, if the Driver had continued anyway.

Motion by Jones to go with Chief's recommendation, Class C, 2 points to Marple, 1 point to Walker second by Warren .

Roll Call: Martinez - aye
 Flood - aye
 Warren - aye
 Jones - aye
 Brown - aye

AYES: 5 NAYS: Motion carried.

4. M. Pack– Engine 6 (02/08/2023)

Discussion: Nyhart described the incident and reported the Chief's recommendation, Class C, 3 points. Flood asked if it was a Class C because of the statement that they didn't notice the ladder was gone or that they'd struck a tree limb, referencing previous incidents where no points were given to drivers who struck trees. Nyhart replied that this occurred when they were returning back to the station and the missing ladder wasn't notice until the next day. Statements report that they did hear something, but failed to check the truck. Flood read from the statement that the crew did not stop to check the truck or check the truck upon returning to the station. Jones said he was trying to remember the details of a previous incident that was changed to a Class A, 0 points. He requested to know the recommendation for Burger's incident that was similar. For consistency, he stated he felt they were very similar and wanted to recommend the same decision. Nyhart reported the recommendation for Burger's incident. Flood voiced that the dark and rainy weather could have contributed to Pack's incident. Warren said that trucks hit branches all the time. "You can't miss them".

Motion by Flood to go with Class B, 2 points, second by Jones.

Roll Call: Martinez - aye
 Flood - aye
 Warren - aye
 Jones - aye
 Brown - aye

AYES: 5 NAYS: Motion carried.

4. A. Martinez– Squad 4 (02/09/2023)

Discussion: Martinez stated he backed in to Station 4, cut too shallow, went forward again, and didn't realize the back side was too close to the door. He said Captain Jung was on the driver's side spotting for him. It was dark and they only had one spotter. The scratch occurred on the Officer's side of the apparatus. He said that Jung did yell at him to stop, but it happened too fast to do anything. He was able to stop, but getting the vehicle light away from the wall is actually what caused the scratch and it was unavoidable. Nyhart read the details of the incident and the Chief's recommendation.

Motion by Jones to go with Chief's recommendation, Class B, 1 point to Martinez, 0 points to Jung, second by Flood.

Roll Call: Martinez- abstained
Flood - aye
Warren - aye
Jones - aye
Brown - aye

AYES: 4 NAYS: Motion carried.

4. **Communication/Discussion:** None

5. **Adjournment:**

Motion to Adjourn

Motion by Jones, second by Martinez.

Meeting adjourned at 9:26 a.m.