

MINUTES
City Vehicle Accident Review Board
March 3rd , 2015
Public Meeting Room #3
City Hall
212 SW 9th St.
1:30 pm

The meeting was called to order by Chairman Wright at 1:30 pm.

1. Roll Call

MEMBERS PRESENT: Rusty Wright, Chairman
Dennis Bothell, Equipment Maintenance
Candy Brown, Safety & Risk Manager

MEMBERS ABSENT: None

OTHERS PRESENT: Rusty Whisenhunt, PW Safety Rep (arrived at 2:00 pm)
Marlon Johnson, Safety Rep
James Bearbow, Safety Rep
Joe Ramirez, Safety Rep
Sue Smith, HR

Excused* Unexcused**

2. Minutes:

A. Approval of minutes of February 3, 2015

Motion by Bothell with second by Brown to approve the minutes of February 3, 2015. AYES: All NAYS: None Motion carried.

3. Old Business:

A. Michael Cooper –WWM (1/12/15)- Appeal

Chew Allen, WWM Safety Rep told Candy Brown that Mr. Cooper checked the wrong box on the memo sent to him. He did not want to appeal the board's decision of his accident on 1/12/15.

B. Bobby Finley- WD (12/4/14) – Tabled

Mr. Finley was present. PW Safety Rep Rusty Whisenhunt was also present.

Finley said about a few days before they had already dug in there a supervisor hit the gas line. He said is blew out again and few days later and he went out to put a pipe in it in which he was driving a dump truck. Finley said the guy digging

it had to leave so he got up there and relieved him and started searching for the line. He said the normal procedure is you dig down with a sharpshooter and then start scraping to start looking for the line. Finley said they dug it down and the line had already been hit and moved it over a little bit and his tooth snagged it. He said it was a plastic line so it put a little gash in it. Whisenhunt asked if locates been called on it and remarked. Finley said he wasn't sure. Whisenhunt said if the marks aren't there or over ten days you recall them. Finley said when he started digging someone had already been digging. He said there was a guy using a sharpshooter before he got there. Bothell asked if this was the same guy that dug a week before. Finley wasn't sure. Whisenhunt asked Finley if he was on sight the week before. Finley said no. Brown asked if he was aware of it being hit. Finley said yes. He said on a metal line, it doesn't move but a poly line moves. He also said he was about six feet from where it was hit before. Bothell asked if any of the original markings still there. Finley said not from when he started but they were marked on the pavement but that has been taken out. Whisenhunt said the original break was in the middle of the driveway. Finley said yes. Whisenhunt said you ended up taking the entire driveway out. Finley said yes. He said once you find the pipe then you can dig around it and they weren't digging on top of it but on the side. He said from where they were supposed to mark it , he couldn't get a bucket around it so he couldn't get on top of the main but had to go on the side and work his way back towards it.

Motion by Whisenhunt with second by Bothell to rule this accident as a preventable Chargeable Damage Incident with one (1) point assessed.
AYES: All NAYS: None Motion carried.

C. Phillip Cummings- SWC (12/18/14) – Tabled
Mr. Cummings was present. Safety Rep Marlon Johnson was also present. The board decided to table this until the next meeting on April 7th to talk with Cummings about incident.

Motion by Bothell with second by Whisenhunt to table this until the April 7th meeting.
AYES: All NAYS: None Motion carried.

D. Phillip Cummings- SWC (1/6/15) -Tabled
Mr. Cummings was present. Safety Rep Marlon Johnson was also present. Cummings said he pulled out there at CL Boyd and turned out across the road and backed up into the gate to empty their dumpster. He said he had the flu and the two ground guides on the back. Cummings said it was cold outside and the ground guide on his side, Donald Holmes, was wearing a muffler over his face. He said he was sneezing and coughing real bad and his foot came off of the brakes and he backed into the fence and gate. Wright asked if this was CL Boyd's gate. Cummings said yes. Bothell asked if he was taking full responsibility for the accident. Cummings said he was the one driving and his foot slipped off of the brake. Bothell asked even if the ground guides had told

you to stop you still would have hit the gate. Cummings said he wasn't that far from the gate when they got off and when he started sneezing his foot went off the brake and he rolled back into the gate. Brown said you hadn't been given any direction up to that point. Cummings said yes. Johnson said Holmes was the ground guide on the driver's side. Bothell said Cummings told them that with or without ground guides it wouldn't have made a difference. He said the ground guides were off the vehicle and in the position they were supposed to be. Cummings said Holmes was on the back of the truck and he was still on there and when he started to roll back he jumped off the back of the truck or he would have been crushed. Johnson said if there was a ground guide in the back couldn't you tell if the truck was backing up at an angle or the gate wasn't normal and the truck wasn't straight to back up. Cummings said that Holmes told him from his angle while the truck was backing up he was clear from the gate but he had to jump off the truck from getting hit. Johnson said the ground guide should have let the driver know if the truck wasn't at the right angle and was going to hit the gate. Everyone agreed. Brown said reading Holmes statement that he had a muffler on and when he yelled to Cummings to stop; he couldn't hear him. Johnson said the ground guide could have motioned. Brown said by the time Cummings hit the gate, he was too close and it happened instantly. Bothell asked if the ground guides are doing their job properly. Cummings said yes. Bothell asked if he were to put blame on each person involved, what percentage would he put on himself and the ground guides. Cummings said nothing for Todd because he wasn't on the driver's side. Brown said Todd was off the truck and in position. Cummings said yes. He said Holmes was still on the truck and had to jump off. Cummings said he would take half the blame and half on Holmes.

Motion by Bothell with second by Brown to rule this accident as a preventable Chargeable Collision with three (3) points assessed.

AYES: All NAYS: None Motion carried.

4. New Business:

A. Virgil Todd –SWC (1/6/15)

Mr. Todd was present. Safety Rep Marlon Johnson was also present. Todd said as Cummings was backing up, he turned a little short while backing up and he yelled at him to stop and he couldn't hear him. He said he told Holmes to tell him to stop but he hit the fence. Bothell asked if the gate was open all the way. Todd said it was sticking out so far. Bothell asked if it could be opened more. Todd said he had plenty of room. Bothell said but he hit it. He said he couldn't understand how Cummings got so close to the gate with ground guides. Todd said he didn't see him because he was yelling the whole time. Johnson asked Todd what side of the truck he was on. Todd said the passenger's side and Holmes was on the driver's side. Bothell asked if he were to put a percentage of blame on all three of those involved, what would that be. Todd said all three equal blame. Brown asked what did he feel he did wrong. Bothell

said it sounded like he did everything right. Todd said he couldn't get Cummings to hear him. Wright said but you were on the other side of the driver. Johnson said it would be hard to hear him since he is on the other side and the truck is between him and the driver. Bothell said it is required to keep the ground guide in view at all times. He said hand signals are good. Bothell asked if he was familiar with the Public Works backing policy. Todd said Johnson read it to them and he is aware of it. Johnson said the ground guides are supposed to be off of the truck when it is backing up. He asked Todd if he was off the truck. Todd said yes. Bothell said and Holmes was on the truck and had to jump off or be crushed which is what his statement said.

Motion by Bothell with second by Brown to rule this accident as non-preventable Damage Incident with zero (0) points assessed.

AYES: All NAYS: None Motion carried.

B. Donald Holmes –SWC (1/6/15)

Mr. Holmes was present. Safety Rep Marlon Johnson was also present.

Holmes said from his view on the back driver's side, Cummings looked clear but when he got closer, he jumped off. He said Todd and he were yelling to get Cummings to stop but it was too late and he hit the gate. Wright asked how close Cummings got before Holmes told him to stop. Holmes said he wasn't sure. Bothell said in his statement he had to jump off the truck to keep from being smashed. Holmes said it looked closer than what it was so he jumped off and he started telling him to stop. Bothell asked if Holmes knows the Public Works back up policy. Holmes said yes. Bothell asked if the blame was put on all of you, what percentage would you put on each involved. Holmes said the blame would be on the ground guides because they were supposed to be off the truck.

Motion by Bothell with second by Brown to rule this accident as a preventable Chargeable Damage Incident with one (1) point assessed.

AYES: All NAYS: None Motion carried.

B. Michael McMahon- Streets (2/13/15)

Mr. McMahon no longer works for the City. Safety Rep James Bearbow was present.

Bearbow said McMahon was backing up a sand truck into the building and was having trouble seeing his ground guide and started going toward the left side of the building to the fascia and the ground guide was trying to stop him. He said McMahon thought the ground guide was telling him to turn and he hit the building with one of the loads on the truck. Bearbow said there is not a lot of space to get into there but if he couldn't see his ground guide he should stop.

Motion by Bothell with second by Whisenhunt to rule this as a preventable Chargeable Collision with three (3) points reducing one (1) point due to low cost of damages with a total of two (2) points assessed.

AYES: All NAYS: None Motion carried.

C. Danny Hamblin- Drainage (2/20/15)

Mr. Hamblin was present. Safety Rep Joe Ramirez was also present

Mr. Hamblin said he was loading with the skid loader and some logs and had a sight problem with one log and didn't see that it was sticking out like it was. He said he spun around to load logs in the dump truck and caught the corner cab of the truck. Bothell asked if this was the new skid loader. Hamblin said yes. Bothell said he had not gotten the repair cost but it will be over \$1000 to repair. Whisenhunt asked if the log that hit it was sticking up high. Hamblin said yes. Whisenhunt said he had a pretty big bite there. Hamblin said he didn't see the log sticking out like that and would not have picked up that much if he did. He said he has been with the City almost 21 years and no points. Bothell said the policy says if the vehicle is moving it is a chargeable collision and that is how it is classified. Wright asked if this was a raising and lowering. Hamblin said he moved alongside the dump truck and spun the skid loader around to the side to raise it up to load the material in and when he did, the one log went out front. He said when it bumped he stopped, backed up and set it down. Whisenhunt asked which side of the he was loading on. Hamblin said the driver's side. Whisenhunt said that is pointing toward the bed and you swung into it. Hamblin said he lifted up and turned at the same time. Wright asked if someone went around and cut the limbs to a desired length. Ramirez said yes he has men do that. Hamblin said when he grabbed the limbs he must have grabbed them the wrong way.

Motion by Whisenhunt with second by Brown to rule this as a preventable Chargeable Collision with three (3) points reducing one (1) point due to newness and visibility with a total of two (2) points assessed.

AYES: All NAYS: None Motion carried.

D. Richard Cruz- Park Maintenance (2/9/15)

Mr. Cruz was present. Safety Rep Leon McGahee was also present.

Mr. Cruz said they were doing a trash run and he pulled into the east side of the park to empty the trash barrels and while he was exiting the park there was a tree stump. He said he didn't see it and he caught it with the bumper and it stopped him right then because he didn't have his foot on the gas. He said Harmon Park is on Bell and 14th Street by Ron Stevens Stadium.

Motion by Brown with second by Bothell to rule this as a preventable Chargeable Collision with three (3) points reducing one (1) point due to low cost of damages with a total of two (2) points assessed.

AYES: All NAYS: None Motion carried.

5. Consider any other accidents reported: None

6. Communication/Discussion:

Bothell said he will contact Jason Mansel about telling the employees to report damages they see before emptying the dumpsters.

7. Adjournment:

Motion by Bothell with second by Whisenhunt to adjourn the meeting at 3:00 pm.