

STATE FIRE COMMISSION MEETING

• South Branch Inn • Moorefield, WV •

August 11, 2017

PLEASE NOTE:

The following minutes have been provided and are considered unofficial, until they are submitted for approval at the next scheduled meeting.

The official business meeting was called to order at 09:00 a.m. by Vice-Chairman Doug Mongold.

ROLL CALL:

Commissioners Present

Dave Camp, Carl Eastham, Doug Estep, Phil Hart, Martin Hess, Thomas Keefer, Doug Mongold, Jim Oldaker, Ted Shriver, and Virgil White. It is noted that Counsel Stacy Nowicki is present as well.

Commissioners Absent

Edward George, Grant Gunnoe and Carl Sizemore.

APPROVAL OF MINUTES:

Commissioner White made a motion to accept and approve the minutes of the June 16, 2017 Meeting. Commissioner Eastham seconded the motion. The ayes and nays have been taken on a voice vote, the motion passed.

Commissioner White made a motion to accept and approve the minutes of the July 24, 2017 Special Meeting. Commissioner Eastham seconded the motion. The ayes and nays have been taken on a voice vote, the motion passed.

COMMITTEE REPORTS:

- Fire Department Services Committee

Commissioner Oldaker read the Committee Report from Meeting – August 10, 2017 as follows:

Call to Order

Commissioner Mongold called the meeting to order at 10:05 a.m.

Roll Call

Members present: Mongold, Oldaker, Camp, and Hart.

Members absent: Sizemore.

Quorum reached.

Commissioner Hart made a motion to adjust the agenda starting from the bottom up, second by Commissioner Oldaker. With all the ayes and nays having been taken on a voice vote, the motion passed.

Assistant State Fire Marshal, Bradley Scott presented the Committee with the following applications for Fire Officer I and II.

Erick Clay Tri Towns VFC FO1
Jason Whiting Beaver VFD FO2
Kevin Lovejoy Mud River VFD FO2

Commissioner Hart made a motion to recommend approval to the full Commission of all the aforesaid FO1 and FO2 applications, second by Commissioner Oldaker. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Mongold noted that all applications are reviewed by WVSFMO staff and Commissioners prior to the Commission Meetings and approvals.

Modular / Pilot Training Workgroup Update – Commissioner Mongold discussed the meetings that had taken place on July 24, 2017. The group had a very productive meeting and was able to begin drafts for individual and department application to be used for registration within the Modular Training Program. A draft version was presented to the Committee, noting that Counsel Nowicki and Administrative Secretary Shawna Goodwin are making additional adjustments and plan to fully present a final draft copy to the full Commission on Friday, August 11, 2017.

Commissioner Mongold noted that no action is needed by the Committee on this topic at this time.

Automatic Aid w/ Out of State Departments – Legal Questions – Counsel Nowicki stated that she had reviewed the questions in the correspondence to the Commission in addition to speaking with the author. Counsel stated that based on Ruling 87-6 Departments that respond to an Automatic Aid request are subject to receipt of WV State Funding. Ultimately Counsel believes this was the concern and overall question. Commissioner Mongold suggested the WVSFMO draft a response letter from the Commission to Mr. Oliver based on the advice and recommendations from Counsel.

Commissioner Oldaker made a motion to enter into Executive Session at 10:13 a.m., second by Commissioner Hart. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Hart made a motion to come out of Executive Session at 11:26 a.m., second by Commissioner Oldaker. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Mongold noted that no action or decisions were made during executive session. It is further noted that Commissioner Camp recused himself from the executive session due to business relations of the discussed topic.

Commissioner Hart made a motion to table Talcott VFD to the October, 2017 Commission Meeting due to Building Fire Code requirements, second by Commissioner Oldaker. With all the ayes and nays having been taken on a voice vote, the motion passed. Noting that Commissioner Camp recused himself from the motion vote.

Other

Commissioner Oldaker made a motion to adjourn at 11:30 a.m., second by Commissioner Hart. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Mongold asked the Committee and Commission to note and make of record that if a special meeting is called by the Fire Commission, Talcott VFD be added to the agenda. All Commissioners agreed.

Commissioner White made a motion to accept the committee's report, seconded by Commissioner Eastham. With all the ayes and nays having been taken on a voice vote, the motion passed.

- Recruitment and Retention Committee

Commissioner Hart read the Committee Report from Meeting – August 10, 2017 as follows:

Call to Order

Commissioner Hart called the meeting to order at 11:34 a.m.

Roll Call

Members present: Hart, Estep, Oldaker, and Hess.

Members absent: George.

Quorum reached.

Commissioner Estep made a motion to approve the agenda, second by Commissioner Hess. With all the ayes and nays having been taken on a voice vote, the motion passed.

Old Business

Discussion Involving Working Group Meeting – Commissioner Hart discussed that the Workgroup Meeting didn't get to take place on August 2nd due to numerous conflicts, however the same agenda is ready to be discussed by the Committee now.

Length of Service Awards – challenge Coin – Commissioner Hart discussed that the group had previously tossed around the idea of a Challenge Coin being created and developed to give those in the Fire Service for their length of service. The group discussed at what years or points in a member's career would they obtain the coins. It was decided that coins would be given at 5 years, 10 years, 15 years, 20 years, 30 years, 40 years, 50 years and so forth.

The Challenge Coin will be created and worked on by the WVSFMO. Further discussion evolved around how the WVSFMO would distribute the coins and it was discussed that it would be the Chief's responsibility to notify the WVSFMO of length of service awards.

Commissioner Hess made a motion for the WVSFMO to develop the Length of Service Challenge Coins and bring further development to the October 2017 Commission Meeting. Second by Commissioner Estep. With all the ayes and nays having been taken on a voice vote, the motion passed.

Partnerships – Commissioner Hart brought up the idea of Departments having an information type of flyer or brochure that can be utilized for open houses and potential Community events that would encourage membership or involvement in their local fire department. The group discussed having the WVSFMO create a few ideas or template that would be shared by Departments across the State and could be personalized with each Departments name.

Commissioner Estep made a motion for the WVSFMO to develop some templates and report back to the October 2017 Commission Meeting. Second by Commissioner Oldaker. With all the ayes and nays having been taken on a voice vote, the motion passed.

Recruitment and Retention Conference / training Opportunity – Commissioner Hart discussed a Conference he recently attended and the materials he picked up from such. He shared and passed around within the Committee these. The group discussed with Marshal Tyree the availability of perhaps adding a speaker or Training Opportunity to the EXPO that is annually held. Marshal Tyree stated that would not be a problem and could be worked into the event. Commissioner Hart stated that he could work on obtain a speaker or speakers for such.

Developing Inmate Fire Brigade – Counsel Nowicki spoke regarding some experience other Agencies or Divisions across the State where they utilize inmates for services.

The Division of Corrections and the Fire Commission would like to explore the possibility of initiating inmate fire brigades to assist in fire department responsibilities throughout the state. Prisons are located in rural communities, for the most part, and inmate fire fighters may be the closest to respond to preserve life and property. Only certain inmates would participate in the program, to ensure safety of the public.

Commissioner Oldaker made a motion that the Recruitment and Retention Committee recommend the full Commission to explore the idea and discuss further action. Second by Commissioner Estep. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Hart asked if any of the Committee Members had any further ideas for Recruitment and Retention. Glenn Whittington spoke and the ability to offer incentives for members to stay active and involved. The group discussed many ideas and the pros and cons thereof. Mr. Whittington also suggested somehow having Departments spread the word more aggressively about saving homeowners on insurance premiums due to the level of their local departments.

Commissioner Oldaker made a motion to adjourn at 11:53 a.m., second by Commissioner Hess. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Oldaker made a motion to allow Counsel and WVSFMO Staff begin discussion with the Division of Corrections in regards to developing and utilizing Inmate Fire Brigades. Second by Commissioner Hart. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Eastham made a motion to accept the committee's report, seconded by Commissioner Shriver. With all the ayes and nays having been taken on a voice vote, the motion passed.

- Training Committee

Commissioner White read the Training Committee Report from Meeting – August 10, 2017 as follows:

Call to Order

Committee Chairman Commissioner White called the meeting to order at 12:01 p.m.

Roll Call

Members present: White, Keefer, Eastham, and Estep.

Members absent: George.

Quorum reached.

Approval of Agenda

Commissioner Keefer made a motion to approve the agenda, second by Commissioner Eastham. With all the ayes and nays having been taken on a voice vote, the motion passed.

Unfinished Business

Modular / Pilot Training Workgroup Update – The group discussed that the Modular Pilot Training is still ongoing but no action is further needed from this Committee. Fire Department Services Committee is still in the works on developing the applications for such.

Fire Marshal Academy Update – Marshal Ken Tyree spoke and stated that the group met yesterday, Wednesday August 9th. He stated the group discussed and presented Curriculum outlines. It was decided that the program will run 6 weeks and would be available for WVSFMO Staff along with municipalities to utilize. Marshal Tyree stated that books are being ordered and decided upon next. He plans to present more details during the December 2017 Commission Meeting.

Certificate Recognition – Letter Proposed by Harold Ward – Counsel Nowicki drafted a response letter and provided that to Administrative Secretary Shawna Goodwin yesterday and such letter is being formatted on letterhead and distributed to Mr. Ward. Counsel Nowicki noted a typing error within her recommended wording and it was noted that will be corrected before mailing.

No further action is required from the Committee or Commission on this topic.

Online Hazmat acceptance / approval – Marshal Tyree discussed the topic was carried over for any additional comment by Commissioner Keefer since he was unable to attend the last meeting. There was no further discussion.

Commissioner Keefer made a motion to recommend approval of the Michigan State University's online HazMat Awareness Program aka Safe Response (www.SafeResponse.com) to the full Commission. Upon approval by the full Commission, the training opportunity would be added to the Training Chart. Second by Commissioner Estep. With all the ayes and nays having been taken on a voice vote, the motion passed.

Staff / Counsel Update – It is noted there were not updates.

WV Fire Service Extension – Mark Lambert spoke and stated the upcoming National Fire Academy. October 14th and 15th. They would like to see growth and more individuals taking advantage of this opportunity.

Mark stated that a women’s firefighter weekend is still in the planning.

He also commented on the idea and potential development of bringing back the State Fire School. Mark stated he hopes to have more information regarding this for the October 2017 Commission Meeting.

WV Public Service Training – Mr. Dave Plume spoke regarding the WV Public Service Training stating that the Public Service Training is alive and well. He detailed how the agency operates and the reconstruction has taken place due to some cut backs. He discussed that the RESA’s will be reconstructed will most likely be named something different in the future but all is moving along. He noted that the WV Public Service Training is dedicated to public education and will continue.

He discussed the new website and displayed the same for the committee and commission. WVPST.ORG

Marshal Tyree asked about the wording of the organization due to a new statue opening and being amended. Mr. Plume confirmed the name remains the same.

Commissioner Keefer made a motion to adjourn at 12:29 p.m., second by Commissioner Eastham. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Hess made a motion to accept the committee’s report, seconded by Commissioner Keefer. With all the ayes and nays having been taken on a voice vote, the motion passed.

- Legislative, Codes & Regulatory Committee

Commissioner Shriver read the Legislative, Codes & Regulatory Committee Report from Meeting – August 10, 2017 as follows:

Call to Order

Chairman Commissioner Shriver called the meeting to order at 1:34 p.m.

Roll Call

Members present: Shriver, Camp, Oldaker, Keefer and Hess.

Members absent: None.

Quorum reached.

Approval of Agenda

Commissioner Hess made a motion to approve the Agenda. Seconded by Commissioner Keefer, with all the ayes and nays having been taken on voice vote, the motion passed.

Delegation

It is noted there was none.

Old Business

Provisional Status Updates – Division Deputy Fire Marshal Allan Casto spoke and stated that no reports have been received and no reports are due. Therefore, Provisional Status holders remain in good standing.

It is noted that no action is needed by the Committee.

Consideration of Municipality Home Rule Board Rulings – Marshal Tyree spoke and stated that Counsel Barber, Chief Deputy Sharp and himself attended a Home Rule Board Meeting this past month. The meeting was continued however he noted some conversation that took place. Marshal Tyree discussed that they are working on bringing back some Municipalities that have come out from under the Commission. He also spoke about the Board having more attention to specific and certain details. Marshal Tyree stated that there is a meeting being planned to continue to address the concerns. He noted that there are 3 new members including a new chairman to the board. The WVSFMO will be getting with the Municipal League and Representatives to work towards a resolution.

Legislative

Marshal Tyree spoke and stated that all three (3) Legislative topics will be turned into the Governor's Office by September 8th, 2017. He spoke and noted that WVSFMO and Counsel will be meeting with the Department of Labor to review and clear up any issues / questions pertaining to 21-6-2.

The group briefly discussed the different options to obtaining these sponsors or getting approval. Counsel suggested the WVSFMO and Commission be looking to obtain sponsors as a best possible step forward.

Commissioner Shriver asked if there were any further questions or discussion; it was noted there was none.

New Business

HomeSpection Training Institute Approval – Division Deputy Fire Marshal Allan Casto spoke and stated that this is the second time this Company has come before the Commission and Fire Marshal's office for approval. Marshal Casto stated that he had requested from the Institute the materials and or curriculum that would be used in the Training. He noted that he had received the materials just yesterday and has yet to begin the review process.

Commissioner Shriver spoke and wants to review Commission minutes from April 2015 to present in regard to the previous request and approval / denial. Marshal Tyree spoke and stated that the CEU's had been approved previously.

Commissioner Hess made a motion to table the HomeSpection Training Institute discussion to the October 2017 meetings to allow the Review Sub-Committee time to further review the materials and

address any concerns. Seconded by Commissioner Keefer. With all the ayes and nays having been taken on a voice vote, the motion passed.

Adjourn

Commissioner Keefer made a motion adjourn at 1:46 p.m., second by Commissioner Camp. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Shriver noted that the Motion made pertaining to the HomeSpection Training Institute should read 'Review Sub-Committee' rather than Committee. It is noted and the changes were made.

Commissioner Estep made a motion to accept the committee's report, seconded by Commissioner White. With all the ayes and nays having been taken on a voice vote, the motion passed.

- Disciplinary Committee

Commissioner Eastham read the Disciplinary Committee Report from Meeting – August 10, 2017 as follows:

Call to Order

Chairman Commissioner Eastham called the meeting to order at 2:01 p.m.

Roll Call

Members present: Eastham, Shriver, Hess and Mongold.

Members absent: George.

Quorum reached.

Approval of the Agenda

Commissioner Mongold made a motion to approve the agenda, second by Commissioner Hess. With all the ayes and nays having been taken on a voice vote, the motion passed.

Old Business

Commissioner Shriver made a motion to enter into Executive Session at 2:03 p.m., second by Commissioner Hess. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Mongold made a motion to come out of Executive Session at 2:43 p.m., second by Commissioner Shriver. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Shriver made a motion to allow WVSFMO further investigate 2017-003-BCO and report back to the full Commission Meeting tomorrow, August 11, 2017. Second by Commissioner Hess. With all the ayes and nays having been taken on a voice vote, the motion passed.

New Business

Banks District VFD – Gary Duffield Letter of Correspondence – Commissioner Shiver made a motion to recommend to the full Commission that Counsel and the WVSFMO draft a letter from the Commission to Mr. Duffield stating that his questions and concerns are not that of the jurisdiction of the State Fire Commission. Seconded by Commissioner Hess. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Shriver made a motion to table 2017-005-HI due to an ongoing Investigation. Second by Commissioner Hess with all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Shriver made a motion to find probable cause on 2017-035. Second by Commissioner Hess with all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Shriver made a motion to find probable cause on 2017-036. Second by Commissioner Hess with all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Shriver made a motion to find probable cause on 2017-037. Second by Commissioner Mongold with all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Shriver made a motion to recommend a 180-day extension to correct deficiencies for Mabscott VFD, Ghent VFD, and Bradley Prosperity VFD. Second by Commissioner Mongold with all the ayes and nays having been taken on a voice vote, the motion passed.

Assistant State Fire Marshal Bradley Scott presented a list of department(s) that needed to be recertified as follows.

Walton VFD

Commissioner Shriver made a motion to recommend recertification of following ... Walton VFD, second by Commissioner Mongold. With all the ayes and nays having been taken on a voice vote, the motion passed.

Assistant State Fire Marshal Bradley Scott presented a list of department(s) that needed to be recertified noting these Departments had perfect evaluations.

Whitesville VFD
Clear Creek VFD
Beaver VFD
City of Beckley FD
Coal River VFD

Commissioner Shriver made a motion to recommend recertification of following noting perfect evaluations ... Whitesville VFD, Clear Creek VFD, Beaver VFD, City of Beckley FD, and Coal River VFD, second by Commissioner Hess. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Shriver made a motion to adjourn at 2:51 p.m., second by Commissioner Mongold, with all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Oldaker noted that the Committee report needed to reflect City of Beckley FD rather than City of Beckley VFD. Such was noted and changed within the report and minutes of records.

Commissioner White made a motion to accept the committee's report, seconded by Commissioner Camp. With all the ayes and nays having been taken on a voice vote, the motion passed.

- Operations Committee

Commissioner Camp read the Operations Committee Report from Meeting – August 10, 2017 as follows:

Call to Order

Commissioner Camp called the meeting to order at 3:01 p.m.

Roll Call

Members present: Camp, Keefer, Estep and White.

Members absent: Sizemore.

Quorum reached.

Approval of the Agenda

Commissioner White made a motion to approve the agenda, second by Commissioner Keefer.

Commissioner Keefer made a motion to amend the agenda to only discussed item II within New Business – Fire Marshal Staff Pay Plan. Seconded by Commissioner Estep. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner White made a motion to reprove his first motion to approve the agenda. Seconded by Commissioner Keefer. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Estep made a motion to enter into Executive Session at 3:03 p.m., second by Commissioner Keefer. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner White made a motion to come out of Executive Session at 3:26 p.m., second by Commissioner Keefer. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Keefer made a motion to recommend to the full Commission a letter of support drafted from the Commission to DMAPS Cabinet Secretary in regards to the WVSFMO Pay Plan Summary. Seconded by Commissioner Estep. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner White made a motion to adjourn at 3:27 p.m., second by Commissioner Keefer, with all the ayes and nays having been taken on a voice vote, the motion passed.

Marshal Tyree addressed the Commissioners and group. He noted that Division Deputies will provide their reports and he will close.

Deputy Fire Marshal Joe Leake spoke for the Fire Inspection and Plan Review Division. Mr. Leake described the Divisions job duties in brief detail.

Marshal Leake provided the following Fire Safety Inspection & Plans Review Division Numbers for the period June and July, 2017:

1413 Inspections Conducted
251 Plans Reviewed
42 Occupancy Permits Issued
736 Licenses Checked

Marshal Leake provided the following full report of the Fire Safety Inspection & Plans Review Division Numbers for the period January thru July, 2017:

4809 Inspections Conducted

949 Plans Reviewed (Does not count walk-in consultations with architects and designers)

120 Occupancy Permits Issued

1843 Licenses Checked

Complaint Investigations:

Investigated fifty-nine (59) fire code complaints

Investigated three (3) blasting complaints

Investigated three (3) licensing complaints

Investigated nine (9) electrical complaints

Investigated one (1) fireworks complaint

Fireworks:

403 Facilities

75 Pyrotechnician Licenses

56 Public Displays

Issued five (5) citations for selling fireworks without a permit

Confiscated fireworks in Raleigh County with an approximate value of \$12,000.00

Training:

Taught two-three (3) day basic fire inspection class for new municipal fire inspectors

Nine (9) divisional personnel attended a one-day seminar on the National Electric Code

One divisional employee attended Fire Protection Principles class at the National Fire Academy

All divisional personnel attended week-long training in Charleston – EXPO

Seven (7) divisional personnel attended a one-day fire door inspection class

Five (5) divisional personnel attended LAST training for Line of Duty Firefighter fatalities

Court hearings:

Fayette County – Two (2) convictions for unlicensed electrical work

Raleigh County – Fire Code citation – Case continued

Raleigh County – Fire Code citation – one conviction for destruction of property

Raleigh County – One (1) conviction for tampering with fire protection equipment

Kanawha County – Fire Code citation – Case continued
Braxton County – Five (5) convictions for tampering with fire protection equipment
Berkeley County – Two (2) convictions for tampering with fire protection equipment
Raleigh County – Two (2) convictions for selling fireworks without a permit

Obtained eleven (11) warrants for tampering with sprinkler heads at Central Regional Jail
Obtained twenty-one (21) warrants for tampering with sprinkler heads at Southern Regional Jail
Obtained two (2) warrants for tampering with sprinkler heads at Potomac Highlands Regional Jail
Issued citation to an individual for performing electrical work w/o a license in Cabell County

Division personnel expended six hundred eighty-three (683) hours assisting with the Boy Scout Jamboree

Administered twenty (20) licensing tests

Conducted exit checks at various basketball games

Conducted checks of various fireworks displays

Assisted the Investigation Division in Kanawha and Mingo Counties

Investigated fire at South Central Regional Jail

Checked blasting permits in Monongalia County

Presented fire safety/code training at the West Virginia School Service Personnel meeting in Morgantown

Presented fire safety/code training to the Raleigh County school administrators, maintenance and custodian staffs

Division Deputy Fire Marshal Jason Baltic provided the following Investigation Division Numbers for the period June and July, 2017:

Total Number of Fires 1June17 to 31July17 – 75

Accidental – 13

Incendiary – 14

Undetermined – 33

Fatality Total 1June17 to 31July17 – 7

Injury Total 1June17 to 31July17 – 7

Total \$ loss 1June17 to 31July17 - \$3,268,600

Educational - \$0

Mercantile - \$1,150,100

Other Structures - \$0

Outside / Special Properties - \$0

Residential -\$1,978,500

Storage - \$8,000

Vehicles -\$10,000

Total \$ loss 1June17 to 31July17 that are declared Incendiary - \$187,000

Total number of fires cleared by arrest or exceptional means – 2

Division Deputy Fire Marshal Jason Baltic provided the following Investigation Division Numbers for the period January through July, 2017:

Total Number of Fires 1Jan to 31July17 – 333

Accidental – 56

Incendiary – 69

Undetermined – 178

Fatality Total 1Jan to 31July17 – 37

Injury Total 1Jan to 31July17 – 27

Total \$ 1Jan to 31July17 - \$13,488,100

Educational - \$300

Mercantile - \$1,255,100

Other Structures - \$7,000

Outside / Special Properties - \$10,000

Residential -\$10,006,900

Storage - \$320,100

Vehicles -\$229,500

Total \$ loss 1Jan to 31July17 that are declared Incendiary - \$891,250

Total number of fires cleared by arrest or exceptional means – 21

Deputy Fire Marshal Allan Casto spoke for Fire Department Services. Mr. Casto broke down the division into 2 sections within Fire Department Services (Regulatory and Licensing and Fire Department Services). Mr. Casto briefly detailed the duties included within each section of his Division.

Marshal Casto provided the following Regulatory and Licensing Section Numbers for the period of June 1, 2017 to July 31, 2017:

Total Licenses Issues: 5,874

Total Certifications Issued: 45

Total Applications Processed: 383

Total Permits Issued: 256

Online Renewals: 2,304

Consumer Fireworks Certificates Issued

Permanent: 3

Temporary: 153

Wholesale: 3

Outdoor Storage: 98

Novelties: 3

Marshal Casto provided the following Regulatory and Licensing Section Numbers for the period of January 1, 2017 to July 31, 2017:

Total Licenses Issues: 16,772
 Total Certifications Issued: 158
 Total Applications Processed: 1,623
 Total Permits Issued: 516
 Online Renewals: 5,309

Consumer Fireworks Certificates Issued

Permanent: 56
 Temporary: 193
 Wholesale: 15
 Outdoor Storage: 164
 Novelties: 150

Marshal Casto provided the following Fire Department Services Recent Activity Chart for the period of June and July 2017:

FIRE DEPARTMENT SERVICES							
RECENT ACTIVITY							
2016/2017							
	JUN 2017	JUL 2017	TOTAL	2017 YTD	FY2017	FY2016	FY2015
FIRE DEPT EVALUATIONS	3	4	7	32	47	104	92
DEPTS RECERTIFIED	8	0	8	17	63	137	63
DISCIPLINARY	11	0	11	1	44	138	59
180 DAYS	4	0	4	13	46	155	85
EMERGENCY VEHICLE PERMITS							
TOTAL PROCESSED	51	50	101	480	718	1,263	555
APPARATUS	20	17	37	160	208	334	144
PRIVATE	31	33	64	320	510	929	411
DEACTIVATED	36	67	103	471	655	1,203	829
APPARATUS	4	16	20	103	133	218	106
PRIVATE	32	51	83	368	533	895	723
VERIFIED AND REFUSED	29	1	30	73	72		
APPARATUS	28	0	28	44	44		
PRIVATE	1	1	2	29	28		
NFIRS							
TOTAL REPORTS SUBMITTED	5,495	2,925	8,420	56,439	121,152	186,114	130,634
90 DAY GRACE	0	63	63	143	223	508	147
OUT OF GRACE	6	48	54	120	198	541	146
* FUNDING LOSS	3	0	3	8	23	28	1
NFIRS CLASSES TAUGHT	0	0	0	4	5	7	8
COUNTIES REPRESENTED IN NFIRS	0	0	0	8	15	43	20
NUMBER OF NFIRS STUDENTS	0	0	0	51	66	123	60
FIRE OFFICERS							
TOTAL SUBMITTED	1	2	3	22	42	97	59
FIRE OFFICER 1	1	1	2	11	17	37	23
FIRE OFFICER 2	0	1	1	11	25	60	36
FOIA REQUESTS (AS OF 7/1/16)							
REQUESTS RECEIVED	15	12	27	100	154		
REPORTS PROCESSED	12	15	27	1,290	1,381		
REPORTS RESEARCHED	13	22	35	5,553	5,531		
* FDS THAT LOST FUNDING 6/29/17							
CABIN CREEK VFD 20113							
GRANTSVILLE VFD 07101							
MONCALM VFD 28108							

Fire Marshal Tyree gave the Public Education Report as detailed below for the period June 2017 to August 2017:

Media Releases 3

- • 'Safety First on the Fourth' is the goal of the WV State Fire Marshal's Office
- • Join the WV State Fire Marshal's Office in their campaign "Get Alarmed WV"
- • State Fire Marshal's Arrest Kenova man on Arson Charges

Social Media interactions –349 new Facebook subscribers since June 5th, weekly safety messages are disseminated through Facebook and Twitter.

August Safety Spotlight - Newsletter ready for disbursement with an added special edition to recap our Safety Summit and provide additional information.

Partnerships –

- • *American Red Cross* – smoke alarm initiative statewide
- • *Cabell/Wayne Dept. of Health* – creating a program for 1300 installs in both counties.

Public Education Network – 4 new members since June 2017, 103 total members since April 2016.

Public interactions completed – 14

- • EMS for Children meeting
- • Lewis Co. Firefighter Chili Cookoff Safety Event
- • Kidstrong Educator Conference
- • Senior Advisory Committee meeting
- • Fayette Co. Chief's Association Meeting
- • Local Assistance State Team and LODD Training
- • State Fire Chief's Association Meeting
- • Safety Day at Huntington Summer Camp
- • Boy Scout Jamboree
- • Chapmanville VFD
- • KPEPC
- • Deputies and Dogs in Fayette Co.
- • Raleigh Co. Fire Chief's Association
- • St. Albans Night Out

Ongoing Projects:

Get Alarmed West Virginia - As a part of the Governor's Day to Serve we working to get volunteers and fire departments involved in a statewide smoke alarm initiative project titled "Get Alarmed West Virginia". In partnership with the American Red Cross, fire departments, community service organizations, and other volunteer groups we will provide and install free smoke alarms and perform a home safety surveys. This project will begin on Sept. 9th and run through Oct. 14th.

Community Risk Reduction for FY 2016-2017 – To better understand the fire and fatality problem in the state we are identifying and prioritize local risks, followed by the integrated and strategic investment of

resources (emergency response and prevention) to reduce their occurrence and impact. We are doing this through data provided by our investigations division.

Second Annual Fire Safety Poster Contest – In the coming weeks as school begins we will start our poster contest for elementary school students across the state. Students will design fire safety messages that will be judged and made into a calendar.

What does the West Virginia Fire Marshal's Office Do?

An in-depth look at the different divisions of the State Fire Marshal's Office is available in PowerPoint and in PDF for future presentations.

Smoke Alarm Installations:

Through 20/20 Fire Prevention the Public Education Division received another 1000 smoke alarms in February 2017. Work continues to implement them in communities and fire departments throughout the state. Our division provides training and safety material to implement a successful program with a 30-day installation deadline. Since receiving our shipment 12 smoke alarms have been installed by the Public Education Division of the West Virginia State Fire Marshal's Office. A portion of smoke alarms are given to Assistant State Fire Marshals in the field to install, safety information is provided when installations take place.

Current fire departments involved in smoke alarm installations include:

Chapmanville VFD
Armstrong Creek
Oak Hill VFD

Fire Marshal Tyree gave the overall Operations Report for the WVSFMO as detailed below:

- • Realignment of Public Information Specialist to Administration Division.
- • Pay Plan Implementation will be critical to the motivation and stability of the agency. Special Revenue abilities gives a great opportunity now and in the future.
- • Electrician's Rule and Hazardous Material Training Program Rule update; It's been filed and since its filing there have been concerns expressed by the Chief of State's Career and Technical Education Division. Fear that it will negatively affect the stability of their program. Next step will be the Legislative Rule Making Committee which will possibly cause change to what was filed.
- • Due September 8th to Governor's Office: Submitted intent to DMAPS on other intended changes to statutes 29-3B, Supervision of Electricians; 29-3-5b, Energy Code removal; 21-6-2, Child Labor, Junior FF language clarifications; contacted and will need to meet with Dept. of Labor Commission David Mullins in next couple weeks.
- • Continued Working on a Fire Marshals Academy program. For SFMO new hires and potentially municipality and political subdivisions who have or would have interest in establishing Fire Prevention Bureaus. Group will be meeting again sometime this summer, then in the Fall, with program development completed by Feb. 2018 with the 1st class to launch in Fall of 2018.
- • Services Division working with State Treasurer's Office on use of "Lock Box" system; Working great – agency is looking to continue completion of the system's use with the development portion of Lock Box for Invoicing of Plans Review and Inspection activities. Foresee great potential with this payment and receipt option.

- • Soon will be meeting to address Agencies on-line capabilities of getting FD Evaluation placed there; awaiting technical assistance from State Treasurer's Office employees.
- • Personnel Staffing:
 - New Employee: Several Interviews and opportunities on horizon in all of the Divisions.
 - Resignation/Termination: Tracy Weese transfer to RJA
- • Agency is seeking to have two positions reallocated which would allow two employees a promotional opportunity within the Admin Division: Agency is hopeful for this approval.
- • Agency has 11 vacancies within the agency (1 Investigators, 5 Inspectors, 1 Plans Reviewer and 1 Public Information Specialists; 1 Secretary I in Services Division, 1 OA II in Inspections and 1 in Services Division; hopeful to get all vacancies filled in the next few months.
 - New Agency FTE = 58
- • Policy Update:
 - New Background Investion policy and update to 3004 Pre-Employment Examination policy for Commission approval
- • Fire Department Loss of Funding: Reported by Deputy Casto for this past quarter under Fire Dept. Services.
 - (The two deadlines involved are the quarter deadline and then 90 days later, the grace period deadline. Other than being decertified, not submitting their NFIRS incident reports by the prescribed due date is the only way to lose their funding. It has nothing to do with the 180-day issue. Once they miss the grace period deadline, the money is lost and reallocated to the departments that were in compliance. There is no getting it back after that.)
- • Visits and Meetings:
 - Several visits by Marshal Tyree, Chief Deputy Sharp, and other members of the agency Inviting all to participate in the Statewide Smoke Alarm Initiative.
 - Marshal Tyree was a National Presenter on IAFC CRR Webinar for our State's Development of a Community Risk Assessment.
- • Training:
- • Significant Dates: As a part of the Governor's Day of Service; September 9th, 16th, 30th, October 14th, regionally located-statewide "*Get Alarmed West Virginia*" Initiatives; FDs, American Red Cross, Community Service Organizations, Churches, College and University Student Government Associations.
- • Fire Fatality information improvement; restructure collection of information from, FDs, Investigator, Dispatch, & Local Media; more to come on this project. Data Collection and Analysis piece is crucial to the work we're trying to do to educate and reduce these numbers.
- • Staff commandment and Thanks Commission for support! Special Thanks to Mrs. Goodwin for valiant completion of each committee's meeting notes for General meeting and pre-meeting preparation.

Commissioner Shriver made a motion to accept the committee's report, seconded by Commissioner Eastham. With all the ayes and nays having been taken on a voice vote, the motion passed.

UNFINISHED BUSINESS:

Consideration of 16-002-HI – Lee Harless - Counsel Nowicki stated Mr. Harless had posted bond in December, 2016 – however, he has been unable to locate.

Commissioner Shriver made a motion to table the consideration of 16-002-HI Lee Harless to the October, 2017 Commission Meeting. Seconded by Commissioner Eastham. With all the ayes and nays having been taken on a voice vote, the motion passed.

Consideration of Municipality Home Rule Board Rulings Update – Commissioner Shriver spoke and stated that the topic was discussed and report provided through the Committee's Report. No action is needed from the Commission at this time.

Consideration of Talcott VFD Update – Commissioner Mongold spoke regarding the report and recommendations from the Fire Department Services Committee.

Commissioner Oldaker made a motion to tablet Talcott VFD Update due to outstanding Building Fire Code deficiencies and report back to the October, 2017 Commission Meeting unless a Special Meeting is called before, second by Commissioner Estep. With all the ayes and nays having been taken on a voice vote, the motion passed.

Consideration of Automatic Aid w/ Out of State Departments – Commissioner Mongold discussed that the Committee reported and a letter would be drafted by Counsel and WVSFMO staff in response to the correspondence received. No further action is needed by the Commission.

Consideration of 2017-003-BCO Update – Commission Shriver stated that Division Deputy Fire Marshal Allan Casto was to report back on the topic. Division Deputy Casto spoke and stated that 30 days should be given.

Commissioner Eastham made a motion for the WVSFMO to draft a letter to the complaint party(ies) stating they are out of compliance with State Regulations and have 30 days to come into compliance. Thereafter, the WVSFMO will report back to the October 2017 Committee and Commission Meetings. Second by Commissioner Shriver. With all the ayes and nays having been taken on a voice vote, the motion passed.

Consideration of Certificate Recognition – Letter Proposed by Harold Ward – Commissioner Mongold noted that the letter had been drafted by Counsel and would be mailed out by the WVSFMO. No action is needed from the Commission.

Consideration of 87-3 HazMat Rule Update – Counsel Nowicki noted the rule has been filed. No further action will be needed by the Commission.

Consideration of 87-2 Electricians Rule Update – Counsel Nowicki noted again the rule had been filed and no further action will be needed by the Commission.

Consideration of Appeal of Closure Order to Knights Inn – Ghent, WV Update – Counsel Nowicki discussed the hearing that took place on July 19, 2017. She noted that Staff, Counsel and Respondents had the opportunity to sit down and have a successful mediation. It was noted that once 3 major

deficiencies are accomplished the facility can re-open. At that time, the facility would have 6 months thereafter to complete the minor deficiencies.

Commissioner Shriver asked if the facility would be required to note and post the deficiencies and Counsel responded noting that the major deficiencies would be repaired PRIOR to opening.

Counsel noted that no further action is needed on the appeal closure by the Commission.

Consideration of Modular Pilot Training Update – Counsel Nowicki noted that no action is needed. She and Administrative Secretary Shawna Goodwin will finalize the applications and email to the Commissioners for review.

NEW BUSINESS:

Consideration of 2017-005-HI – As previously discussed during the Committee report, Commissioner Shriver made a motion to table 2017-005-HI due to an ongoing investigation. Seconded by Commissioner Eastham. With all the ayes and nays having been taken on a voice vote, the motion passed.

Consideration of Banks District VFD – Gary Duffield Letter of Correspondence - As previously discussed during the Committee report, Commissioner White made a motion for Counsel and the WVSFMO to draft a letter of response to the author stating the questions are not those of the jurisdiction of the Commission. Seconded by Commissioner Eastham. With all the ayes and nays having been taken on a voice vote, the motion passed.

Consideration of Lawrence Smith – Intent to File Suit Against WVSFMO – Counsel Nowicki suggested this item be moved to the last item of business for executive session and if any action is needed thereafter can be addressed then.

Consideration of Online HazMat Acceptance / Approval – As previously discussed during the Training Committee Report, Commissioner White made a motion to approve the Michigan State University's online HazMat Awareness Program aka Safe Response (www.SafeResponse.com) and adding the same to the approved Training Chart. Second by Commissioner Eastham. With all the ayes and nays having been taken on a voice vote, the motion passed.

Consideration of HomeSpection Training Institute - As previously discussed during the Committee report, Commissioner Shriver made a motion to table HomeSpection Training Institute approval to allow the Review Sub-Committee time to further review the materials and address any concerns. Seconded by Commissioner White. With all the ayes and nays having been taken on a voice vote, the motion passed.

Consideration of Fire Marshal Staff Pay Plan Discussion - As previously discussed during the Operations Committee report, Commissioner White made a motion for the Commission to draft a letter of support to DMAPS Cabinet Secretary in regards to the WVSFMO Pay Plan Summary. Seconded by Commissioner Shriver. With all the ayes and nays having been taken on a voice vote, the motion passed.

Consideration of WV Code Chapter 29 Article 3 – Commissioner Shriver spoke and noted the detail discussed during the Committee's report. Counsel further noted this would be a placeholder for the topic for future meetings, but no action is needed at this time.

Consideration of Junior Firefighters 21-6-2 – Again Commissioner Shriver spoke and noted the detail discussed during the Committee’s report. Counsel further noted this would be a placeholder for the topic for future meetings, but no action is needed at this time.

Consideration of 29-3B, Electrician’s Statue –Commissioner Shriver again spoke and noted the detail discussed during the Committee’s report. Counsel further noted this would be a placeholder for the topic for future meetings, but no action is needed at this time.

Consideration of 2017-035 - Commissioner Eastham made a motion to find probable cause on 2017-035. Second by Commissioner Shriver with all the ayes and nays having been taken on a voice vote, the motion passed.

Consideration of 2017-036 - Commissioner Eastham made a motion to find probable cause on 2017-036. Second by Commissioner Shriver with all the ayes and nays having been taken on a voice vote, the motion passed.

Consideration of 2017-037 - Commissioner Eastham made a motion to find probable cause on 2017-037. Second by Commissioner Shriver with all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Eastham made a motion to grant a 180-day extension to correct deficiencies for Mabscott VFD, Ghent VFD, and Bradley Prosperity VFD. Second by Commissioner Shriver with all the ayes and nays having been taken on a voice vote, the motion passed.

Consideration of Provisional Status Updates – Commissioner Shriver made a motion to accept and continue the provisional status for the ongoing individuals / cities with the WVSFMO. Seconded by Commissioner Estep. With all the ayes and nays having been taken on voice vote the motion passed.

Commissioner White made a motion to accept and approve the following applications for FO1 and or FO2 ...

Erick Clay Tri Towns VFC FO1
Jason Whiting Beaver VFD FO2
Kevin Lovejoy Mud River VFD FO2

Second by Commissioner Oldaker. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Eastham made a motion to accept and approve Recertification of the following Fire Departments, noting they are coming out of 180-day extension ...

Walton VFD

Second by Commissioner White, with all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Eastham made a motion to accept and approve Recertification of the following Fire Departments, noting these Departments had perfect evaluations ...

Whitesville VFD
Clear Creek VFD
Beaver VFD
City of Beckley FD
Coal River VFD

Second by Commissioner Oldaker with all the ayes and nays having been taken on a voice vote, the motion passed.

CORRESPONDENCE:

Shawn West – POCA VFD Update – WVSFMO staff spoke regarding shared emails the office had received. It appears the situation has gone back and forth but at this current time Mr. West's claims are being taken care of by Worker's Compensation.

WV Public Service Training ASSET Conference – Mr. David Plume spoke again about the upcoming conference and invited commissioners to attend and participate in the roundtable discussions.

TIME AND PLACE OF NEXT MEETING(S):

Next regularly scheduled Committee Meetings will take place Thursday, October 12, 2017 at the WV State Fire Marshal's Office in Charleston, WV beginning at 10:00 a.m.

Next regularly scheduled Commission Meeting will take place Friday, October 13, 2017 at the WV State Fire Marshal's Office in Charleston, WV beginning at 9:00 a.m.

GOOD OF ORDER:

Mark Lambert spoke regarding the WV weekend at the National Fire Academy – October 14th – 15th in Emmitsburg, MD.

Tyler Olson with Insurance Services office, Inc. shared materials with Administrative Secretary Shawna Goodwin and she will distribute to the Commissioners and Public Education Division to share with the Departments across the state. The information provided gives a direct link to the ISO representative by Counties within West Virginia.

The Commission Meeting took a recess at 10:07 a.m. It noted that the Commission Meeting resumed from recess at 10:20 a.m.

Commissioner Eastham made a motion to enter into Executive Session at 10:20 a.m., second by Commissioner Estep. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Estep made a motion to come out of Executive Session at 10:27 a.m., second by Commissioner Shriver. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Mongold asked if there was anything further for the Commission.

Mr. Glenn Whittington spoke regarding funeral services for Assistant Fire Chief Timothy Dale Preece of the Kermit VFD. Services are scheduled for Friday, August 11th.

In other topic, Glen Whittington spoke about his intension to gather more information from Fire Departments across the state that would show the numbers of hours and money spent serving the Communities. He stated he hopes to have more numbers together to present the Commission at the October 2017 Commission Meeting.

Commissioner Oldaker spoke regarding an upcoming event that will take place either October 22nd or 29th at the Culture Center's Fallen Firefighter Memorial. The Memorial is dedicated to West Virginia Firefighters who have died in the line of duty. Commissioner Oldaker stated that a name will be added this year - Edward Malone. He was a Firefighter with the Belmont Fire Department. Once the date is finalized Commissioner Oldaker stated he will get the information out.

Administrative Secretary Shawna Goodwin spoke in regards to her potential resignation and thanked them for the opportunity she has had to serve the Commission and Commissioners while working with the WV State Fire Marshal's Office. She spoke that an opportunity has arose to leave her position and while she remains undecided she wanted to personal thank the Commission for all they have done for her professionally.

Many Commissioners, along with Marshal Tyree and Chief Deputy Sharp commended Shawna on her work and attentiveness to the job. It was noted that she excels in her position and while none of them want to see her go, they wish her all the best in her decision and path wherever that may lead her.

ADJOURN:

Commissioner White made a motion to adjourn at 10:43 a.m., second by Commissioner Estep, with all the ayes and nays having been taken on a voice vote, the motion passed.
