

**STATE FIRE COMMISSION MEETING
HOLIDAY INN EXPRESS
BARBOURSVILLE, WV
FEBRUARY 10, 2012**

The official business meeting was called to order at 9:00 AM by Chairman Bob Sullivan.

COMMISSIONERS PRESENT:

Bob Sullivan, Chairman	Michael Butcher
Larry Goodwin	Grant Gunnoe
Randy James	Thomas Keefer
Robert S. Miller	Doug Mongold
Rick Scott	Ted A. Shriver
Carl Sizemore	Virgil White

COMMISSIONERS ABSENT

Gary Bonnett

APPROVAL OF MINUTES

Commissioner Scott made a motion to accept and approve the minutes of the December 9, 2011 meeting. Commissioner White seconded the motion. The ayes and nays having been taken on a voice vote, the motion passed.

COMMITTEE REPORTS:

Training Committee – Commissioner James stated the committee met on February 9th, 2012. Commissioners Present were: James, White, Miller and Butcher. A copy of the minutes of the committee meeting is attached to these minutes. Commissioner Miller made a motion to accept the committee’s report. Commissioner Sizemore seconded the motion. The ayes and nays having been taken on a voice vote, the motion passed.

Standards Evaluation Committee - Commissioners present were: Keefer, Miller, Sizemore & White. Commissioner Sizemore stated that the Evaluations Committee unanimously passed a motion stating that the Fire Officer 1 and Fire Officer 2 Equivalency Program will cease effective December 31, 2012. Any submittals received or postmarked on or after January 1, 2013 will not be considered.

The equivalency applications accepted for Fire Officer 1 were:

Nathan D. Bush – Gauley River VFD
Richard J. Whiting – Beaver VFD – Charleston FD
Robert M. Lanham – Charleston FD
James S. Cantley – Alum Creek VFD
Walter D. Knight – Clarksburg FD
Franklin R. Schnopp – Tunnelton VFD
Jeffrey M. Snodgrass – Davis Creek VFD – Ruthtdale VFD
Charlie A. Alderman II – Summersville VFD
James R. Shannon - Beaver VFD

The equivalency applications accepted for Fire Officer 2 were:

Robert T. Ankrom – Lumberport VFD
Jeffrey S. Earl – Huntington FD
Brian C. Grieco – Huntington FD
James D. Roberts, Jr. – Huntington FD
Randy D. Ellis – Huntington FD
Daniel J. Povroznik – Bruceton-Brandonville VFD
Jason M. Christopher – Cheat Lake VFD
James L. Bowers – Cheat Lake VFD
Timothy P. Trentini – Cheat Lake VFD
Walter D. Knight – Clarksburg FD
Steve W. Scholl – Vienna VFD
Robert F. Strickler II – Hamlin VFD
Jeffrey D. Myers – Fountain Vol. Fire Co.

Commissioner Mongold made a motion to accept the Committee's report. Commissioner Miller seconded the motion. The ayes and nays having been taken on a voice vote, the motion passed.

Recruitment and Retention Committee - Commissioner Mongold stated that every Fire Department differs in what they want to do to help with recruitment and retention because they have different needs. The committee will be taking ideas. There is also grant money out there that the Fireman's Association can go after. Commissioner Scott made a motion to accept the committee's report. Commissioner Butcher seconded the motion. The ayes and nays having been taken on a voice vote, the motion passed.

Legislative Committee – Commissioner Gunnoe brought up the list of pending legislation. There was no action taken. There was discussion on the rearrangements of code but this was not introduced to the Legislature and may never be introduced. Stacy Delong, Counsel, went over the list of bills that the State Fire Commission would be interested in and their status. She said the last date to introduce bills would be February 20. Discussion followed. Commissioner White made a motion to accept the Committee’s report. Commissioner Mongold seconded the motion. The ayes and nays having been taken on a voice vote, the motion passed.

Fire Department Services Committee - Commissioners present were: Butcher, Mongold & James. Commissioner Butcher stated that the committee reviewed the quarterly report from last year. There was discussion on evaluations that have been completed to date. The evaluations will start slowing down. Commissioner Goodwin made a motion to accept the Committee’s report. Commissioner James seconded the motion. The ayes and nays having been taken on a voice vote, the motion passed.

Codes and Regulatory Committee – Commissioner Shriver stated that the Committee had shortened their name. All of their members were present at their meeting. They had a special meeting on January 27th. They drafted a revision to the State Building Code. Commissioner Mongold made a motion to accept the Committee’s report. Commissioner Miller seconded the motion. The ayes and nays having been taken on a voice vote, the motion passed.

UNFINISHED BUSINESS

Review of current Legislative Rules (Status)

This is on-going. They will start drafting other rules.

MOU (WVU-FSE and RESA)

Stacy Delong, Counsel, stated that if and when HB 4107 passes, there would be no need for the State Fire Commission to enter into any agreements with WVU and RESA. Discussion followed.

State Building Code (Draft Approval)

A copy of the State Building Code Title 87 Series 4 was given to all Commissioners. Staff was directed to do minor corrections to be put out for public comment. Commissioner Gunnoe made a motion to put the State Building Code out for public comment. Commissioner White seconded the motion. The ayes and nays having been taken on a voice vote, the motion passed.

Matewan and Wharnclyffe VFD (Update)

The Commission agreed to continue this until the April, 2012 meeting. Tim Provaznik of the State Fire Marshal's Office will provide an updated report at that time.

State Fireman's Association request for modularization of training

Passage of HB 4107 may take care of this request. WVU has drafts on this.

Process for submitting new curriculum to training committee

Commissioner James missed the December meeting so he passed out the new draft. All parties have the latest draft. The Commission will look over the draft and discuss it at the next meeting. The Public Forum is included in the process.

NEW BUSINESS

Recertification of the following Fire Departments:

Bridgeport FD	Citizens VFD	Cheat Lake VFD	Clarksburg FD
Culloden VFD	Huntington FD	Independent Fire Co. VFD	Nuttall VFD
Paw Paw VFD	Pricetown VFD	Ripley VFD	Shepherdstown VFD
Walton VFD			

There was general discussion by the Commission. There were no issues from staff.

Commissioner Mongold made a motion to accept these Fire Departments for recertification. Commissioner James seconded the motion. The ayes and nays having been taken on a voice vote, the motion passed.

Correspondence

There are several letters that have been received by the Commission on Bridgeport. This issue does not fall under the State Fire Commission at this time. It's a legal issue. There have also been letters from several Firefighters from around the state about what they would like to see in a class. Discussion followed.

The State Fire Marshal's Office was audited and received an excellent status.

There was a letter received from William Daetwyler dated January 19, 2012. Mr. Daetwyler is 17 years old and was asking for an exception to the age requirement to hold an electrician's license. The law says you have to be 18 years old and Stacy Delong, Counsel, feels the rule is the rule. None of the Commissioners present wanted to change this rule.

State Fire Marshal Report (Staff) – Sterling Lewis, Jr., State Fire Marshal, stated that the interviews for five Fire Marshal positions have been completed. He met with Joe Thornton, DMAPS and Sara Walker from Personnel concerning pay of Fire Marshals and the low pay for office staff.

The House and Senate budget hearings have been completed.

DHS gave approval for \$72,000 for IRP radio upgrades.

The SFMO received seven new F150s to replace the old ones.

Marshal Lewis said he is still monitoring legislation that would affect the Fire Marshal and the Commission.

In the last 2 months since the last Commission meeting, the SFMO completed 781 Inspections, 138 Plan Reviews, issued 379 Licensed/Permits, administered 331 tests, completed 48 FD evaluations, had 20 fire fatalities and completed 172 investigations.

Davy FD in McDowell Co. is voluntarily out of service. They have no Workers Comp and had a firefighter during this time.

Commissioner Gunnoe asked about funding for the RRT program. The Governor says he will find the money. Marshal Lewis and Shawn Alderman, SFMO, sent a 1.3 million budget to be approved but have heard nothing back yet.

General Discussion

Stacy Delong, Counsel, stated that someone is passing around that she is lobbying for the Fire Commission and is blocking certain legislation. Stacy stated that she is there to keep an eye on legislation and answers questions only.

Public Comment

Bob Nevins – ISO - Bob Nevins stated that ISO had turned in their annual report to the Insurance Commissioner and only 1 Fire Dept. had regressed. Marshal Lewis asked if ISO looked at hazmat training. ISO does look at hazmat training. Points can be deducted if there is no hazmat training. Bob Nevins will be retiring March 31st. Skip Gibson will be taking over WV. Bob wanted to let the State Fire Commission and the State Fire Marshal's Office know that he has enjoyed working with them.

Tim Jividen, WV State Pipe Trades Administration – Mr. Jividen thanked the State Fire Commission for their work. (Bob Supe and Ron Lord were with Mr. Jividen.) They were speaking for the WV State Building and Trades who had worked with Marshal Lewis to get the plumbers license approved. The Building and Trades Administration want to introduce a bill that would allow them to have a seat on the State Fire Commission.

Mark Doty – WVU - Junior Firefighter Camp will be held on June 23 – 28, 2012. It will be done a little differently this year. They will hold a seminar on Recruitment and Retention. WVU would like as many members as possible from the State Fire Commission and the State Fire Marshal's Office to participate this year.

Steve Parsons – WV Code Official's Association – The WV Code Official's Association supports the Building Code draft as it is. Mr. Parsons asked some questions of Commissioner Shriver about items discussed in his committee meeting. Stacy Delong, Counsel, explained the bill.

Glenn Whittington – State Fireman's Association - Glenn Whittington stated that the Fireman's Association was concerned about the equivalency program for firefighters ending at the end of this year. The Commission let Mr. Whittington know that the policy was passed in 2007 and was given 2 years. May of 2011 was supposed to be the cut-off date. The Fire Commission extended it to the end of 2012. Every Fire Department will be notified of this date. This discussion should be taken up in committee.

Dave Caudill – Ceredo VFD - Dave Caudill stated he had attended the Training Committee. In reference to the Workers Comp issue, Mr. Caudill would like the State Fire Commission and the State Fire Marshal's Office to go to the Legislature to seek relief for the Fire Departments with paid EMS. Mr. Caudill wants to urge the Commission to consider the costs to Fire Departments. He would also like to see on-line training available as much as possible. This would also cut down on Workers Comp charges.

Note: Mr. Caudill stated that the current cost increase for a VFD in their workers comp premium for one firefighter to take Firefighter 1 is \$242.00. A 48 hour class would cost the department \$96.00 in workers comp costs. This does not include the other associated charges that NCCI charges.

Todd Ferguson – Wayne & East Lynn – Todd Ferguson stated that they also have a problem with training. There is a lot in the Fire Officer program that doesn't apply to volunteers. He would like to see training that would be a little easier to get and feels that this would help with recruitment and retention. He also met with the Wayne Co. Commission over Workers Comp.

Mark Newman – Prichard – Mark Newman stated he also wants on-line training. Marshal Lewis stated that on-line training was already available for some classes. Dave Cottle said that if there is on-line training available it was not known to most of the Fire Departments. Mark Doty of WVU stated that WVU has been doing on-line training since 2007. Mike Freeman of RESA stated that RESA has offered the 6 classes in question on-line since 2006. He feels that there is a lack of communication. Stacy Delong, Council, had requested a list of the classes that the Fireman's Association wanted on-line from Sam Love with no response. Commissioner Mongold will get a list of classes for Ms. Delong. Marshal Lewis stated who would be required to have Fire Officer 1 and Fire Officer 2. Discussion followed.

Commissioner Scott requested a moment of silence for the passing of JW Hughes.

Marshal Lewis updated everyone on Nancy's illness and her recuperation.

Commissioner Scott let everyone know that past Commission member Bill Spencer had been sick. He's back home recovering.

Several people brought up that the new fire trucks are having an engine problem. When the engine goes into regeneration, the pump won't run. There will be a conference call coming up to discuss how to correct this problem. There have been over 200 incidents so far because of this problem.

Good of the Order

Time and Place of Next Meeting

The next Fire Commission meeting will be held in Charleston on April 20, 2012 with Committee meetings held on Thursday, April 19, 2012. The agenda on committee meetings will be posted.

Adjourn

Commissioner Goodwin made a motion to adjourn. Commissioner Shriver seconded the motion. Motion passed.

Respectfully Submitted,

Sterling Lewis, Jr.
State Fire Marshal

ADD TO NEXT AGENDA:

The Standards & Evaluations committee unanimously passed a motion stating that the Fire Officer 1 and Fire Officer 2 Equivalency program will cease effective December 31, 2012. Any submittals received or postmarked on or after January 1, 2013, will not be considered.