

**UNOFFICIAL  
STATE FIRE COMMISSION MEETING  
CHARLESTON, WV  
FEBRUARY 19, 2010**

The official business meeting was called to order at 8:40 AM by Chairman Charles Eversole. Chairman Eversole thanked everyone for coming to the meeting.

Fire Marshal Sterling Lewis introduced Christy Morris, Deputy Secretary of Military Affairs and Public Safety. He stated she is a personal friend and a friend of the Fire Commission and truly cares about the fire service of West Virginia.

**COMMISSIONERS PRESENT:**

Charles L. Eversole, Chairman	Larry Goodwin
Robert S. Miller	Doug Mongold
Ted A. Shriver	Carl Sizemore
Bob Sullivan	Virgil White

**COMMISSIONERS ABSENT:**

Bill L. Spencer, Vice Chairman	Dale L. Clayton
Randy James	Thomas Keefer

**APPROVAL OF MINUTES**

Commissioner White made a motion to approve the minutes of December 4, 2009. Commissioner Sizemore seconded the motion. The ayes and nays having been taken on a voice vote, the motion passed.

**INTRODUCTION OF GUESTS**

Murrey Loflin, WVU-FSE	Mike Freeman, RESA VII
Mark Doty, WVU-FSE	David Plume, RESA VIII
Jim Shedd, RESA III	Bill Wilcox, Dept. of Education
Edward Hicks, Dept. of Education	Ron Brown, NFSA
Richard H. Gobble II, RESA V	Ben Roy, NFPA
Ken Tyree, FMAWV	Kelly Bragg, WVDOE
Bob Nevins, ISO	Ron Bateman, ISO
Ron Brown, NFSA	Dave Camp, VFIS
Paula Smith, Benwood VFD	Gerald Sherman, Moorefield VFC
Jarred Kirk, Harts VFD	Jason E. Moore, Harts VFD
Steven L. Hudson, Duval VFD	Glenn Whittington, Buffalo VFD
Thomas Miller, NVFC/Sissonville VFD	Jason Estep, Morrisvale VFD
John Holstein, Danville VFD	John Smoot, Teays Valley FD
Jim Oldaker, Alum Creek VFD	Eric Chichester, Parkersburg FD
C. W. Sigmon, Kanawha Co. Emergency Services	
Christy Morris, WVDMAPS	Corey Roblee, ICC
Chuck Runyon	Deron Wilkes, WV OEMS

**STAFF PRESENT:**

Sterling Lewis, Jr., State Fire Marshal	
Nancy Olson, Secretary	Joe Leake, Deputy Fire Marshal
Debbie Hudson, Secretary	Reed Cook, Deputy Fire Marshal

## **COMMENTS**

Chairman Eversole welcomed the two new fire commissioners, Doug Mongold and Robert S. Miller. He asked them to introduce themselves and give a brief summary of who they are.

Robert S. Miller stated he was Chief of the Ohio River Road Fire Department. He has 59 years of fire service, 4 years in the Air Force, 48 years in Huntington and 25 years at Ohio River Road. He stated he was the Secretary-Treasurer of the Cabell County Fire Chiefs.

Doug Mongold stated he was Fire Chief with the Moorefield Fire Company, with the Moorefield Fire Company for 26 years, past president of the State Firemen's Association and just enjoying being involved in the fire service.

## **UNFINISHED BUSINESS**

Mr. R. L. Cannon, WV Code Officials, regarding the 2009 State Building Code Adoption, could not attend the meeting today. Fire Marshal Lewis stated he had sent an explanation of what he wanted to talk about. It basically deals with the building code and the gutting thereof of the fire sprinkler issue but also the energy conservation code that was stricken out of the 2009 Building Code that was submitted to the Legislature.

Commissioner Shriver stated he reviewed the correspondence and at the end of the letter, Mr. Cannon urged all municipalities and counties that are adopting the 2009 State Building Code, that after the Legislature takes their action, he would recommend that each of those municipalities review what the Legislature has done and actually incorporate those two exceptions back into the local code, which they do have permission to do. Even though the Legislature may remove them, each municipality or county can add them back in and he's encouraging that action by each of them.

Fire Marshal Lewis stated there is also going to be a bill possibly introduced this session that will affect what Commissioner Shriver was talking about. There is a municipality in the State that is having problems with businesses and some of the code enforcement people through the fire departments. There is a bill being introduced and it has always been the understanding of "the state fire code is the state fire code and the municipalities can be more stringent". The building code was always interpreted that "the building code is the building code". That has changed over the past few years to where the municipalities could be more stringent. If the bill is introduced and passed, the wording will be "any code and/or ordinance by counties or municipalities that would be more stringent than the state fire code and/or the state building code would have to pass the muster of the State Fire Commission". The intent is to make it more cumbersome on the municipalities and the counties where they are having these problems between the enforcement side of the codes and the recipients who are normally the commercial building people. This would go along with what Mr. Cannon was discussing. Discussion followed.

## **NEW BUSINESS**

None

## **CORRESPONDENCE**

Memo from Hampshire County Commission was reviewed.

## **STAFF REPORTS**

State Fire Marshal Sterling Lewis, Jr. stated the Fire Marshal's Office would like to welcome the new Fire Commissioners. He stated the Fire Marshal's Office is very busy and the budget is proceeding through the Legislature. He stated he had nothing else to report.

## **AGENCY REPORTS**

**Technical and Adult Training, Vo-Tech,** Mr. Wilcox stated in regards to the Firefighter I course, he sent a letter to Chairman Eversole and Commissioner James a few weeks ago that while they endorse wholeheartedly what was adopted, and discussed at later meetings, they understand from an educational standpoint that the Fire Commission sets the standards whatever they may be. Given all of the discussion that has taken place throughout the State, various fire departments, Fire Commissioners, and everyone involved, they also submitted a second outline in addition to the one that was for 120 hours, all of 472, Total Haz Mat Operations. A revised version that is 93 hours that includes only those pieces of Haz Mat that are included in 1001 NFPA. He stated in the discussion at the Training Committee meeting, they just said it is up to the Fire Commission which one they want to adopt and/or look at that as being the fire department's choice. That is something they are leaving to the Fire Commission to make that decision.

Also, during the Training Committee meeting, they presented a list that Jim Ancell and Lanny Adkins had worked on the master course list that was revised for changes and the Fire Commission will continue to work on that.

Mr. Wilcox had posters on the Haz Mat Program for each Commissioner. He stated the poster and DVD's will be going out to all Fire Departments in the State. He thanked Mr. Ed Hicks and Mr. Dan Blackwood for their work on this project. The DVD has received rave reviews and would be good for law enforcement and any other organizations He also thanked the regional coordinators for their work on this project.

**Training, WVU-FSE,** Mr. Murrey Loflin stated the annual report was done. He gave a copy to the Fire Commission members. He stated that there are two NFA classes on 2/27-28. One day is an 8 hour class on Fire Behavior in Single Family occupancies and the second day is Fire Modeling.

They are offering Fire Inspector II on March 8-12, 2010 in conjunction with the State Fire Marshal's Office. Assistant Fire Marshals Edsel Smith and John Oliver will be the instructors.

On March 27-28, 2010, they are partnering with the State Firemen's Association for their annual safety seminar. Brochures are being mailed out to every department. Speaker will be Doug Cline, Training Commander of the High Point, North Carolina Fire Department.

On April 28<sup>th</sup> to May 2<sup>nd</sup>, they are partnering with the Department of Education to offer a Fire Instructor 1 & 2 course.

June 26<sup>th</sup> to July 1<sup>st</sup>, is the 4<sup>th</sup> Annual Junior Firefighter Camp.

**Insurance Services Office (ISO)**, Mr. Robert Nevins stated they had recently provided the 2009 Annual Report of activities to the State Insurance Commission. He stated they had completed 18 community surveys in 2009. He stated he was pleased to report that 10 of those 18 improved in class and 3 of those 10 were 2 class improvements. Six of the 18 remained the same and 2 communities were new communities. He stated he felt that a lot of the positive programs the Fire Commission promotes to the fire service community has had a lot of positive impact on the classifications. The Fire Marshal's efforts to recognize fire departments who put forth minimum requirements has a positive impact. The efforts of the Fire Commission goes to provide training. All of these things go together to create a positive outcome.

The revision to the fire suppression rating schedule is moving along at a good pace. They have been working on this revision for 2 ½ years and they are now entering the test phase and they are going to test nationwide. There will be several communities in the State of West Virginia.

Fire Marshal Lewis stated that Mr. Ron Bateman allowed two of the fire marshals to accompany him on an ISO rating visit. Those fire marshals were extremely impressed and he thanked them very much and would like to schedule that again.

**Office of Emergency Medical Services**, Mr. Deron Wilkes stated the Office of EMS is the regulatory body that says what fire departments do with EMS agencies. He stated there is 112 EMS agencies and 10,000 certified EMS providers. They have been working on data collection and they are now receiving electronically the EMS reports, usually within 24 hours. They have tested 321 people and have a pass ratio of 89%. They are looking for the same type of testing program for first responder double certification. As with other boards in the state, their main problem is criminal background checks. They are working on that.

## **COMMITTEE REPORTS**

**Training Committee**, Commissioner James was unable to attend the meeting. Mr. Ed Hicks, David Plume and RESA coordinators helped out by recording the minutes. Mr. Hicks read the Training Committee minutes from Thursday, February 18<sup>th</sup>. (Copy attached) Chairman Eversole thanked these gentlemen for their help.

Commissioner Sullivan made a motion to adopt 2009 Edition of NFPA 1021, Standards for Fire Officer Professional Qualifications for Fire Officer I and Fire Officer II to be effective March 1, 2010. Commissioner White seconded the motion. The ayes and nays having been taken on a voice vote, the motion passed.

Fire Marshal Lewis stated there was some discussion during the committee meeting as to what the Fire Commission has done. The minutes of the previous meeting in October, 2009 were pulled and he stated they were as follows: "Commissioner Sullivan made a motion to change the Fire Commission Administrative Policy, titled "Requirements for Fire Departments" to reflect the adoption and inclusion of NFPA 1001, 2008 Edition, regarding minimum training requirements for Fire Fighter 1 to become effective January 1, 2010. Commissioner Spencer seconded the motion. Discussion followed with Commissioner Oldaker clarifying the motion that this would in no way decide the format of the curriculum that will end up being delivered or maybe the possible options." At that time, the staff assumed that the Fire Commission accepted the 2008 edition and approved the 2008 edition standard. Now in December's meeting,

“Commissioner Sullivan made a motion to move the effective date from January 1, 2010 to July 1, 2010 on the NFPA 1001, 2008 Edition. Commissioner Runyon seconded the motion. The ayes and nays having been taken on a voice vote, the motion passed.” He stated it was staff’s impression that in October, 2009, the Fire Commission voted to accept the 2008 edition effective January 1. With discussion over Mr. Oldaker’s clarification and how the courses were to be delivered, the December motion to move the effective date, staff understood was mainly to figure how RESA was going to deliver the curriculum plus for the Fire Marshal’s Office when doing evaluations of what to look for. In December, the effective date of the enforcement was moved to July 1<sup>st</sup>. He stated he needed clarification as to what the intent of the motion was.

Mr. Oldaker stated the question he raised at the October meeting was on the format and not a question on how it was not going to meet the standards; how it was going to be put out, how many hours, and how it was going to be delivered. He stated he felt they were voting on 1001 Standard, 2008 edition. Then in December, he felt it was tied to resolving the questions regarding the delivery of the courses.

Commissioner Sullivan stated he felt there were only two words missing in the December motion which was “of enforcement” and that was done at staff’s request. He feels if the enforcement term is in there, then there is one exception and that is they are out of textbooks. RESA stated they had 100 books left. They stated they could have the new curriculum books ordered and received within a week. They need some direction as to what the Fire Commission wants them to do. Fire Marshal Lewis stated it is staff’s recommendation to listen to the input today from the people who are here to address this issue. It appears a crisis is approaching quickly. He feels the Fire Commission needs to make a decision as soon as possible. Discussion followed.

The following people spoke in regards to this issue:

Glenn Whittington, Buffalo VFD  
Jason Estep, Morrisvale VFD  
John Holstein, Danville VFD  
Paula Smith, Benwood VFD  
Jim Oldaker, Alum Creek VFD  
Thomas D. Miller, Sissonville FD & National Vol. Fire Council

Discussion followed regarding modular training. Question was asked of Mr. Bill Wilcox regarding the possibility of modular training for training. He stated he would have to talk with the RESA Coordinators and WVU Fire Service Extension to see if this training could be broken down into sections. After discussion with the aforementioned people, Mr. Wilcox stated the training could not be broken up as it stands now. More discussion.

Mr. Ken Tyree, Fire Marshals Association of West Virginia, stated the Legislature is dealing with the Building Code, Fire Code and Residential Sprinklers. And unfortunately, it was recommended by the Legislature Rule-Making Review Committee, that it would amended out for now. He stated they are having a workshop that is coming March 31/April 1. It is being put on by FireTeam USA.com and it deals with fire protection in the community as a whole, rural and urban areas. It’s a workshop about fire protection in your community. It’s free, free lodging at Embassy Suites along with a

side by side burn. Two 8 x 8 modular simulated burns will take place, one being sprinklered and one not sprinklered. It's a very effective demonstration.

**FD Standards Evaluation**, Commissioner Sizemore stated there were eight (8) applications received and seven (7) met the criteria for Fire Officer I. They are:

Joseph E. Herdman, Eleanor VFD  
Karl E. Johnson, Winfield District VFD  
Robert A. Hinchee, Weirton FD  
Jeffrey G. Bertha, Weirton FD  
Scott R. Wood, Lavalette VFD  
Jason D. Baltic, Silverton VFD  
James A. Burgess, Eleanor VFD

Commissioner Sizemore made a motion to approve the seven (7) applications for Fire Officer I. Commissioner Goodwin seconded the motion. The ayes and nays having been taken on a voice vote, the motion passed.

**Recruitment and Retention Committee**, Fire Marshal Lewis requested Paula Smith, President of the WV Firemen's Association, to suggest several individuals to attend these committee meetings so they can go back to their lobbyist and work on some ideas for recruitment and retention for fire departments.

**Special Issues Committee**, Commissioner Goodwin. No Report

**Procedures and Development Committee and Public Education Committee**, No report.

**Legislative and Budget** – There are two issues before the Legislature at this time. One is the Fire Code which has no problems. The other is the Building Code and there are two issues with it. One is the residential sprinklers and the other is the Energy Conservation Code. Another bill is Senate Bill 175, Legalization of Fireworks. The State Fire Marshal is against this bill. It provides enforcement at the point of sale.

**Home Inspectors, Building Code Officials, Building and Fire Code Committees**, Commissioner Shriver stated the committee met and discussed the fire code and building code. Amendments were discussed.

#### **TIME AND PLACE OF NEXT MEETING**

The next meeting is scheduled for April 15-16, 2010 at the Greenbrier Resort.

The meeting for June is scheduled for June 17-18, 2010 in the Huntington area.

Chairman Eversole requested an Executive Session.

#### **GOOD OF THE ORDER**

Commissioner White thanked staff for the Commissioner handbooks.

Commissioner Shriver also thanked staff and stated the WV Expo is scheduled for March 24 at the Charleston Civic Center. ASFM Barrick is conducting a training session.

**ADJOURN**

Commissioner Goodwin made a motion to adjourn. Commissioner Mongold seconded the motion. The ayes and nays having been taken on a voice vote, the motion passed.

Respectfully submitted,

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Sterling Lewis, Jr.  
State Fire Marshal

**WV State Fire Commission Training Committee Meeting**  
**Thursday, February 18, 2010 3:00 pm.**  
**Holiday Inn Express, Charleston WV**

Commissioner Charles Eversole chaired the meeting in the absence of Commissioner Randy James, who was unable to attend due to work obligations. He welcomed everyone and asked everyone to sign the attendance sheet. Commissioner Eversole welcomed Doug Mongold, a new Fire Commissioner from Moorefield. Commissioner Mongold, said that he has 26 years in the fire service and is looking forward to serving on the West Virginia State Fire Commission.

Those in attendance: Charles Eversole, WVSFC; David Plume, RESA8; Richard H Gobble II, RESA 5; Edward Hicks, WVDE; Bill Wilcox, WVDE, Mike Freeman, RESA 7; Virgil C White, WVSFC; Jim Shedd, RESA 3; Sterling Lewis, SFM; Jim Ancell, WVDE; Ron Bateman, ISO; Bob Nevins, ISO; Carl Sizemore, WVSFC; Murrey B Loflin, WVUFSE; Mark J Doty, WVUFSE; Bob Sullivan, WVSFC; Larry L Goodwin, WVSFC; Doug M Mongold, WVSFC, Ted A Shriver, WVSFC

Commissioner James had prepared an agenda for the meeting. The first item was "Review of Previous Actions"

A lengthy discussion on the new Firefighter 1 curriculum took most of the meeting time. Commissioner Sullivan stated that there is not one idea, but many different factors. One concern is that students will have a longer time from the beginning of the class until the final test and what they learned in chapter 1 may be forgotten by the time they test.

Sterling Lewis commented that on the issue of the increased required number of hours in the Firefighter 1 NFP A requirements it seems that those with over 15 years in the fire service seem to be against it and those with less than 15 years seem to be all for it.

Sterling Lewis asked about the impact on Junior Firefighters. The Fire Commission had previously approved that Junior Firefighters can participate in Firefighter 1 training, so there should not be an impact. A concern was raised over the new NFP A requirement for live bum training. The Fire Commission had also previously agreed to allow Junior Firefighters to participate in controlled live bum training under the direct supervision of a qualified instructor.

Sterling also commented that it does not seem to be the number of hours as much as the delivery method of those hours that is of greatest concern. Different departments may want different schedules and RESA tries to address these requests. The Fire Commission makes decisions and it is up to RESA to implement those decisions. This can be difficult with budget and calendar restraints. We need to do a better job of getting the correct information out to the departments. David Plume explained that RESAs all work with departments in their areas to schedule classes to accommodate their needs. He gave an example of one department that did a Firefighter 1 class one evening a week and another that met two nights a week and on weekends to get it done as quickly as possible.

Bill Wilcox addressed the group and handed out a memorandum and a draft of a proposal for a West

Virginia Fire Fighter 1 curriculum. Mr. Wilcox commented that the Fire Commission sets standards and we will teach to those standards. The new draft for a curriculum only includes the basics of HazMat that are required by NFP A 1001 and not the full requirements for HazMat Operations. This curriculum will provide the successful participant with three certifications - Fire Fighter 1, HazMat Awareness, and First Aid/CPR. This meets the Fire Commission minimum requirements for someone to run fire calls with a fire department in West Virginia, and meets the minimum requirements for the 2008 NFPA 1001 standard. Mr. Wilcox also explained that the supply of current textbooks for Firefighter 1 will be exhausted within a month. A letter addressing this concern had been sent to Commissioners Eversole and James. New classes are being scheduled and the Fire Commission needs to give direction concerning the adoption date of the new NFP A standard. When we run out of books we can stop conducting Fire Fighter 1 classes or have students find old copies of the book. Books using curriculum that meets the old NFP A standard are out of print and no longer available. Commissioner Eversole read from the minutes of the last Fire Commission meeting the motion to change the adoption date of the NFPA 1001 2008 from January 1 to July 1,2010.

Fire Marshal Lewis said that he has been looking at the State Code and found that the Fire Commission has the authority to adopt a standard, but it is outside the scope of authority to tell how it is to be delivered. He said that the Fire Commission does not have the authority to tell RESA how to teach the curriculum. If the code does not specifically say you can do something, you can't do it. Bill Wilcox said that is true, but we look to the Fire Commission to set standards.

David Plume commented that sometimes people have different understanding of the terms "curriculum" and "standard". The Fire Commission sets which standards are adopted - such as NFPA 1001,2008. There are multiple curriculums that can be used to teach these standards - Delmar, Jones and Bartlett for example.

Bill Wilcox explained that at the last Fire Commission meeting the simple outline that was presented was considered an insult because it did not list details of all elements to be taught. A detailed outline of the 120-hour curriculum was put together, and some fire departments were concerned about the number of hours meeting NFP A 472 requirements. Some said the HazMat Operations level training was not applicable to their response. The 93-hour curriculum only includes NFP A 472 requirement specifically required by NFP A 1001 2008. If people want to be trained to the HazMat Operations level they will have to take a separate HazMat Operations class.

Mike Freeman added that a Fire Department could choose to run the 120-hour program to receive HazMat Operations certification, but this decision would have to be made before the program began. It will not be practical to develop any type of bridge program.

Commissioner Sullivan asked about the possibility of Modular testing instead of one final test. Mike Freeman explained that a problem with that approach is that students would have to pass each module with a score of 70 instead of an overall score of 70. There are hours built into the program to review materials before the final test. Bill Wilcox stated that certification tests are given at the end of training. Commissioner White said that most students keep study notes for the modules and can refer to them to study for the final test. David Plume said that there was no correlation to the length of the class and the pass rate.

Mike Freeman explained that the on line learning option in the 120-hour curriculum includes about 12 chapters that can be done on line to eliminate about 20 hours of lecture. The practical skills must still be taught by instructors and this will take from 30 to 40 hours. In the outline for the 120-hour curriculum there was a detailed explanation of the requirements for students interested in participating in blended learning or online learning. This wording was not included in the 93-hour outline but it is still applicable.

Commissioner Eversole asked for any other discussion on the Firefighter 1 training. Hearing none he moved on to the next agenda item - New Curriculum for Approval.

Mike Freeman spoke of the Fire Officer 1 & 2 curriculum. It can be presented as a combined course or as two separate courses - Fire Officer 1 and 2 together, or Fire Officer 1 and Fire Officer 2 separately. The NFP A standard has been updated and the new books are being printed to the new standard. Murrey Loflin supports the adoption of the new standard.

Commissioner Eversole explained that the training committee did not have a quorum and could not make a motion on this issue, but a member of the Fire Commission can make the motion to adopt this curriculum at a Fire Commission meeting. He also explained that new members of the commission are still in the process of being appointed to committees.

The other item listed on the agenda concerned the "clean up" of the class list attached to the Training Class Approval Form. Commissioner Clayton is the chair of this committee, but he has been incapacitated. Jim Ancell explained that he and Lanny Atkins from WVUFSE met on January 6 and made a first review of the list. The committee needs to meet to continue the review. No action can be taken at this point, but Jim Ancell provided the Training Committee with a copy of the list with the first draft revisions.

Commissioner Eversole stated that the Training Committee has exceeded its allotted meeting time and is holding up the next committee meeting and asked if anyone had anything else to bring to the committee.

David Plume said that the Eastern Panhandle Training Weekend will be held in Martinsburg April 9, 10, 11 and continue to the following weekend. A lot of rescue classes are being offered. Brochures will be distributed in the near future.

With nothing else to be brought up Commissioner Eversole adjourned the meeting.

These minutes are respectfully submitted by David Plume, RESA 8 and Edward Hicks, WVDE