

STATE FIRE COMMISSION MEETING
Holiday Inn Express
Ranson, WV
April 4, 2014

The official business meeting was called to order at 9:01 AM by Chairman Bob Sullivan.

COMMISSIONERS PRESENT:

Bob Sullivan, Chairman	Grant Gunnoe
Gary Bonnett	Ted Shriver
Thomas Keefer	Doug Mongold
Larry Goodwin	Carl Sizemore
Virgil White	Mike Butcher

COMMISSIONERS ABSENT:

John Holstein	Robert Miller
Rick Scott	

APPROVAL OF MINUTES

Commissioner White made a motion to accept and approve the minutes of the February 21, 2014 regular meeting. Commissioner Goodwin seconded the motion. The ayes and nays having been taken on a voice vote, the motion passed.

COMMITTEE REPORTS:

Training Committee –

Members present: White, Goodwin, Miller by phone and Holstein by phone

Leslie Racine taking minutes Counsel is present as well.

Called to order at 1:05

Unfinished business from staff and counsel:

Revised training rule needs to be filed. Getting it upgraded to the 2013 edition and getting NIMS in the training rule. Governor signed the water bill (373) on Tuesday. Counsel has a draft but they need to look over the NIMS matrix. Counsel would like to have a meeting to review and approve the training rule that will be filed. Will be brought up to have a special meeting the end of April early May tomorrow during the commission meeting.

Arson Classes: Lambert speaks about what he and Laney Atkins have talked about. A class for arson for first responder separately and then classes for Fire Investigation 1,2, and 3. Will hope to have something together by the next meeting.

New Business

RESA/WV Dept. of Ed: 2014 Mineral County training coming the end of the month.

WVU: Laney Atkins speaks about starting a different type of blended learning to teleconference to different schools. 6 or 7 sites students can go to. This will be something new and has never been tried before. The Fire Academy is changing back to the middle of October for WV weekend.

Motion made by Goodwin to adjourn at 1:20PM seconded by Miller. All aye.

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

Disciplinary Committee –

Members Present: Bonnett Shriver Sullivan
Leslie Racine taking minutes

Call to order at 3:00PM by Chairman Sullivan

Motion made by Commissioner Bonnett to go into executive session at 3:03PM seconded by Commissioner Shriver. All aye

Provaznik says a complaint has been submitted against 2014-22. They now have a new chief. Found a station with no heat, no running water, and filthy conditions. Equipment only 1 pumper truck out of 3 is working. So they have one truck and one utility vehicle running. Only one breathing apparatus was working and face pieces were dirty. Spare bottles were empty and not enough bottles. Fire extinguishers were empty.

The new Chief spoke about what he plans to do differently and presented paperwork what to do the next few years. New applications for members are coming in.

Provaznik says staffs opinion is the trucks are on the verge of not being safe for firefighters to work off of.

Motion made by Commissioner Shriver to enter into a consent decree for decertification and ceasing operations conditioned upon meeting certain listed requirements before recertification is entertained by the commission seconded by Commissioner Bonnett All aye.

2013-01 Tim Provaznik; 4/19/12 first evaluation since then have been working with them to get into compliance. JT Hodges is now representing them. They had entered a consent decree and had asked for an extension and it was tabled to this meeting. RESA has told Tim that one person passed the testing.

Mr. Hodges objects to Provaznik's statement that one person passed. Mr. Hodges spoke to the department last night and they have not received official results yet.

Mike Freeman comes in to be asked about RESA grades. He said two could have certificates but one was not eligible for certificates. He mailed them Monday morning.

Motion made by Commissioner Bonnett to table this issue until the May meeting seconded by Commissioner Shriver. All aye.

2014-24 – Commissioner Shriver made a motion that probable cause has been found Seconded by Commissioner Bonnett All aye.

They requested 180 day extension.

Commissioner Bonnett makes a motion to give a Beech Bottom a 180 day extension seconded by Commissioner Shriver all aye.

2014-25- Commissioner Bonnett finds probable cause seconded by Shriver all aye.

They requested 180 day extension.

Commissioner Bonnett makes a motion to give a Cheaspeake a 180 day extension seconded by Commissioner Shriver all aye.

2014-26- Commissioner Bonnett finds probable cause seconded by Shriver all aye.

They requested 180 day extension.

Commissioner Bonnett makes a motion to give Fairview VFD a 180 day extension seconded by Commissioner Shriver all aye.

2014-27 Commissioner Bonnett finds probable cause seconded by Shriver all aye.

They requested 180 day extension.

Commissioner Bonnett makes a motion to give Keslers Cross Lanes VFD a 180 day extension seconded by Commissioner Shriver all aye.

2014-28 Commissioner Bonnett finds probable cause seconded by Shriver all aye.

They requested 180 day extension.

Commissioner Bonnett makes a motion to give Triadelphia VFD a 180 day extension seconded by Commissioner Shriver all aye.

2014-29 Commissioner Bonnett finds probable cause seconded by Shriver all aye.

They requested 180 day extension.

Commissioner Bonnett makes a motion to give 180 day extension to give Wharton Barrett VFD seconded by Commissioner Shriver all aye.

Motion made by Commissioner Shriver at 5:00PM seconded by Commissioner Bonnett all aye.

Motion made by Bonnett to adjourn at 5:01PM seconded by Commissioner Shriver all aye.

Counsel speaks about complaint 2014-22. A consent decree has been agreed upon and is ready to be signed.

Motion made by Commissioner Mongold to accept the consent decree. Commissioner Sizemore seconded all aye.

2013-01 Bancs Fire Department being represented by Mr. Hodges says they will reorganize and other issues will be taken care of.

Commissioner Goodwin 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.

Legislative Codes & Regulations Committee-
Legislative Codes and Regulatory Committee

Members Attending: Gunnoe, Goodwin, Bonnett, Shriver, and Keefer

Leslie Racine taking minutes and Joe Leake in attendance

Called to order at 2:05PM by Commissioner Gunnoe

Commissioner Shriver would like to make a motion to add the Fire Protection Workers Rule to the agenda seconded by Commissioner Bonnett. All aye

State Fire Code, Home Inspectors, and Electrical Inspectors have been approved by both sides of the legislature. They were approved on March 2 or 3 2014 effective upon passage. Final file by May 4, 2014 and counsel will take care of that.

Loan fund for FD's died in committee

Fire Commission makeup bill will be discussed during interims to study the composition of the commission.

Fire Marshal Bill is effective June 6 2014. Counsel spoke on changes to the bill. All minimum requirements remain but for cause was removed.

Fireworks bill died in the senate judiciary committee.

A surcharge on insurance policies to help VFD's died in committee as well.

Hurricane Ordinance is still pending.

InterNachi home inspector courses: Commissioner Shriver spoke about. They are asking for approval for a 120 hour online course. Past policy of the commission is to not allow online testing for base testing.

Shriver makes a motion to deny InterNachi core curriculum for 180 hour testing online seconded by Commissioner Bonnett all aye.

Shriver will make InterNachi aware that continuing education is ok but not for core curriculum

Training Rule: Counsel spoke about amending the rule. After a special meeting is held the emergency rule will be filed.

Building Code Official Rule: A rewrite was requested by the Commission at the last meeting. A first draft attempt has been made to clean up some of the language. This is still in the process of being reworked. The deadline will be tight.

Fire Damper Rule: Shriver spoke about. Counsel recommends that we include that in the Fire Protection Rule. He is going to send the information out to the Commission to go over and changes will be discussed during the special meeting.

The week of April 28th for the special meeting works for this committee

Deputy Leake introduces our NFPA representative John Caulfield. He spoke for a few minutes about how he can work better with us.

Commissioner Shriver made a motion to adjourn at 2:26PM seconded by Commissioner Bonnett. All aye

Commissioner Shriver made a motion to the full commissioner to reject InterNachi's class. Commissioner Sizemore seconded the motion. All aye

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

Fire Department Services Committee –

Members present: Carl Sizemore Doug Mongold Mike Butcher and Grant Gunnoe

Leslie Racine taking minutes

Tim Provaznik Steve Connolly ASFM Scott were also in attendance

Motion made by Sizemore seconded by Butcher to table Tornado Boundary Change request to the next meeting. All aye

New Creek FD chief can't make it today but will be here tomorrow. Mongold says he is familiar with the area and feels it was looked at a year ago and we just can't be changing things every time someone asks.

Commissioner Shriver makes a motion for New Creek and Maysville to come to the next meeting and present their case for boundary change request. Seconded by Gunnoe. All aye

Nettie FD; staff recommends that we don't have authority over traffic control or wrecker services. Sullivan interjects that the wrecker service is ran by a firefighter and they are interfering with the 911 county rotations of wrecker services and now a firefighter has been arrested.

Motion made by Gunnoe for review by Counsel because we don't think we have jurisdiction seconded by Butcher. All aye

Ridgley FD radio issues asking for help. Gunnoe asks if they are using the siren system. Department isn't giving much detailed information on the radios. Mongold doesn't feel this isn't under our authority. Would like someone to call the department and tell them this isn't our jurisdiction but we are reaching out to people to get them help them.

Motion made by Gunnoe to let them know we don't have jurisdiction but Provaznik will touch base and follow up with the commission. Seconded by Commissioner Sizemore. All aye

Recertify FDs

Ona VFD staff recommends recertifying

Motion made by Butcher to recertify the ONA VFD seconded by Sizemore all aye

Cedar Grove VFD staff recommends recertifying

Motion made by Gunnoe to recertify Cedar Grove VFD seconded by Butcher all aye

Glasgow FD staff recommends recertifying

Sizemore makes a motion to recertify seconded by Butcher all aye

Equivalency applications

FO I James Hodges Whitesville VFD

Jeremy McCourt Whitesville VFD

Deferred to next meeting Danny Barth Fairview VFD and Carl Warner Circleville VFD

Fo II Adam Morton Eleanor VFD

Deferred to next meeting Carl Warner Circleville VFD

Motion made by Gunnoe to go into Executive Session 10:40 AM seconded by Sizemore all aye

Motion made by Sizemore to come out of executive session at 10:58AM. Seconded by Butcher All aye

To discuss legal issues with Counsel. No action taken.

Career Combination Departments- Counsel has a workable draft but everyone needs to get together to hammer out the policy overall. Should be ready by June. Training and FDSD needs to have a special meeting to work out this new policy. Possibly first week of May and then again first of June. Everyone is going to receive copies to look over before they meet.

Motion made by Gunnoe to adjourn at 11:09 seconded by Sizemore all aye

Commissioner White made a motion for the full commission to accept the equivalency applications. Commissioner Gunnoe seconded the motion. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Sizemore made a motion for the full commission to recertify the fire departments. Commissioner Butcher seconded the motion. With all the ayes and nays having been taken on a voice vote, the motion passed.

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

Operations Committee-

Members Present: White, Sizemore, Keefer, Mongold, and Holstein by phone

Leslie Racine taking minutes Joe Leake present

Called to order at 2:45 by Commissioner Sizemore

Report from Staff from Joe Leake

Acting Marshal Carrico is checking to see if we can post the temporary position for the Arson Investigation division. They are down two people and it is causing a stale mate in that division. Missy Hapney says the staffing request was to the governor's office the other day and as soon as that is done it will be posted.

We are on track to meet budget.

At this time since January 1st there have been 19 civilian and deaths and 1 FF
LODD

Marina Bill- Marina's have to meet requirements August 1, 2014. It is a DNR rule but leaves enforcement up to the Marshals office. They are required to have an electrical inspector to sign off on all the electoral by Aug 1 and we will need something in writing to approve them. Some Marina's will be closing.

A hearing will be held on April 22nd for a revoked Pyro Tech license.

Real estate- We currently don't have the money to move.

Motion to adjourn by Commissioner White at 2:51PM seconded by Keefer all aye

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

STAFF REPORT Field Deputy, Joe Lease said Jack Jamison wanted to let everyone know about a skills competition. Also said it is becoming obvious kids are more interested in computers than electrical and or plumbing.

UNFINISHED BUSINESS

Fire Marshal Posting; Counsel says a process will be decided up on during the May 5, 2014 meeting.

City of Hurricane Ordinance; has already been discussed.

All Fire Department issues have already been discussed.

Commissioner White made a motion to go into executive session at 10:20. Commissioner Sizemore seconded the motion. All aye.

City of Kenova Request for Provisional Status- Complaints have been received but no action will be taken at this time.

Commissioner White made a motion to leave executive session at 11:08. Commissioner Bonnett seconded the motion. All aye.

Complaint Procedures for Fire Departments- Has been taken care of.

Career and Combination Department Evaluations- Policy will be revised during the May 5, 2014 meeting.

Arson Classes- Has already been discussed.

NEW BUSINESS

Tornado Boundary Request Change- Has been tabled to the June 2014 meeting.

Recertify Fire Departments- Has already been done.

CORRESPONDENCE

GOOD OF THE ORDER

Laney Adkins- Junior Firefighter camp will be June 21-26, 2014. Many applications are already coming in. People can donate for scholarships. Kids from all over are coming. Graduation at 11Am on the 26th.

Bob Sullivan says we have a possible line of duty death of George Underwood in Logan County. More information will be provided as we receive it.

Glenn Whittington would like the commission to consider an evening meeting for the volunteers to attend.

Dave Bloom RESA is glad to rotate meetings so others could come.

Charles Cinging a city inspector from Ranson had questions about floors. Commissioner Shriver answered his questions about different flooring types and Field Deputy Leake also spoke.

Eddie Copenhaver from the Berkley Count Combination stations. It was need driven and the public is being served.

TIME AND PLACE OF NEXT MEETING

A special meeting will be held May 5, 2014 at the Holiday Inn in South Charleston, WV.

The next regular scheduled meeting will be at the WV Fire Academy on June 26-27, 2014.

ADJOURN

Commissioner Sizemore made a motion to adjourn at 11:10. Commissioner White seconded the motion. Motion passed.