

STATE FIRE COMMISSION MEETING
Charleston Civic Center
Charleston, WV
February 25, 2015

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

COMMISSIONERS PRESENT:

Robert S. Miller	Larry Goodwin
Rick Scott	Carl Sizemore
Virgil White	Dave Camp
Grant Gunnoe	Ted Shriver
Vic Stallard	John Holstein (by phone)
Tom Keefer	

COMMISSIONERS ABSENT:

Rick Scott	Gary Bonnett
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A moment of silence was held for Gary Rose.

APPROVAL OF MINUTES

Commissioner Mongold made a motion to accept and approve the minutes of the December 5, 2014 regular meeting and December 22, 2014 special meeting. Commissioner White seconded the motion. The ayes and nays having been taken on a voice vote, the motion passed.

COMMITTEE REPORTS:

Training Committee 11:00 2/24/15-

Members Present; White, Miller, and Stallard

Called to order at 11:03

Unfinished Business

Counsel speaks about the Training Rule. As of Friday the bill is on its way to be approved as modified. SB184 is the bill if you would like to follow it.

Mark Lambert speaks about the Arson classes. Bob Sullivan and Mark Lambert are working on it just waiting on slides that should be ready in March.

New Business

WVU – Mark Lambert speaks about legislative issues with the academy. White congratulates Lambert on his new position

RESA/Dept of Ed- Fire Schools are coming up; Escape starts tomorrow. Dave Ploom IFSAC testing May 1st in Martinsburg. Pendelton County and Mineral County training weekend in April. Charleston will be having a training class in May. Eastern Panhandle will be getting a training trailer in March that will greatly help the training in that area. Weekend of March 28th upper Ohio Valley will be having training. Lots of new classes coming! Female only firefighter class will be starting soon. Working with Wheeling FD to add on to their training facility which should be up and running soon.

CW Sigman- asks to speak to the committee. Talks about turning people off by your attitude to new people. Would like to see a level of training for exterior firefighting. Modularized training for basic skills that can help people. Is afraid the rural areas are going to lose departments because of the long hours of training.

Discussion follows

Counsel speaks that it would take a legislative body to make a change. Doesn't think it would be hard to change. Tells CW Sigman, to put a proposal together to bring a proposal to the Commission for further review.

Commissioner Miller makes a motion to send this recommendation to the full commission to be studied and see if we can do something. Motion has been withdrawn.

Commissioner Miller motions to adjourn at 11:47 seconded by Commissioner Stallard. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Mongold made a motion to accept the committee's report. With all the ayes and nays taken from a voice vote, the motion passed.

Commissioner Shriver made a motion to move everything regarding disciplinary to the end of the agenda.

Disciplinary Committee –
Disciplinary Committee 2/24/15

Did not meet because of a quorum was not present.

Legislative Codes & Regulations Committee-
Charleston Civic Center Parlor C on February 24, 2015

Legislative, Codes, and Regulatory Committee was called to order at 1:07pm by Commissioner Shriver at the Charleston Civic Center Parlor C on February 24, 2015

Members present Shriver, Goodwin, Keefer, Camp, and Miller.

Approval of the Agenda - No changes were made to the Agenda

Delegation - No one identified themselves as wishing to speak.

Unfinished Business

City of Hurricane case has been transferred from Jennifer Greenlief to Assistant Attorney General Celeste Webb-Barber. Bret Hodgdon representing the Home Inspectors was present and states that their Association and the City of Hurricane have come to an agreement they are just waiting on signatures.

City of Lumberport and City of Salem were issued conditional approval of their Building Code enforcement at the December meeting however we have not been notified if they adopted the Building Code. Counsel and the Marshals office report at the next meeting as to their status.

HomeSpection Training Institute- Commissioner Miller makes a motion to table HomeSpection until the next meeting when more information can be presented. Seconded by Commissioner Keefer. With all the ayes and nays having been taken on a voice vote, the motion passed.

Building Code, Code Officials, and Fire Code – Commissioner Shriver along with Counsel Connolly and Commission Chair Sizemore held the stakeholders meeting yesterday, February 23rd, for these rules and received very productive feedback. These proposed Rules and the attendance lists are in today's packet.

Commissioner Keefer motions to table the three (3) Rules until the next meeting allowing Commissioner Shriver to take the Rules back to stakeholders and make sure everything is good. Seconded by Commissioner Miller. With all the ayes and nays having been taken on a voice vote, the motion passed.

New Business InterNachi-

Commissioner Keefer motions to table the request for their submission of the coursework for pre-licensing for Home Inspectors until the next meeting when more

information can be presented, seconded by Commissioner Goodwin. With all the ayes and nays having been taken on a voice vote, the motion passed.

InterNachi submitted three (3) programs for Home Inspector continuing education requirements, “fire place stove and chimney course”, “safe practices for the home inspector”, and “25 standards every home inspector should know”. These programs were distributed by Commissioner Shriver feels that all of these meet the commission’s standards for instruction.

Commissioner Keefer motions to accept these three (3) programs as proposed and presented and seconded by Commissioner Camp. With all the ayes and nays having been taken on a voice vote, the motion passed.

Berkeley County Department of Engineering and Building Permits Request for Interpretation - Commissioner Shriver stated that this is an interpretation of the State Building Code and not under the Commission’s jurisdiction. Counsel Connolly addressed the Committee and agreed the interpretation that it is not our jurisdiction.

Commissioner Miller motioned for the Marshals office to write a letter to Berkeley County stating the Commission does not inforce or interpret the Building Code that is up to the local jurisdiction. Seconded by Commissioner Camp. With all the ayes and nays having been taken on a voice vote, the motion passed.

City of Bridgeport is asking for an interpretation of the requirements to be a Certified Building Code Electrical Inspector as successful passage of ICC’s test for E1, E2, E3 and a Masters Electrician. Bridgeport asked if the language should be “or” rather than “and.”

Commissioner Keefer motioned for the Marshals office to write a letter to the City of Bridgeport stating it is “and” as of now since it is State law but this will be brought up in the next stakeholders meeting to determine if revisions are recommend. Seconded by Commissioner Miller. With all the ayes and nays having been taken on a voice vote, the motion passed.

City of Huntington Public Works Department Building Code Official Issue- Counsel speaks on matter that the Chief Building Official has yet to complete the necessary steps to obtain a Code Official Certification but they have a plan of action.

Commissioner Keefer made a motion to give provisional status to the City with the understanding that they will submit quarterly updates to the Commission in their progress to obtain such certification, seconded by Commissioner Miller. With all the ayes and nays having been taken on a voice vote, the motion passed.

Adjourn - Commissioner Camp made motion to adjourn at 1:54 seconded by Commissioner Miller. With all the ayes and nays having been taken on a voice vote, the motion passed.

Counsel speaks about the Legislative session.

Fireworks bill passed the house floor

10% of sales to vet 5%SFMO 5% volunteers the bill is still pending

A new bill introduced 3% to road fund 2% to vets and nothing else

HVAC elimination of licensing is pending.

Training Rule has been amended but is still pending.

SB211 Volunteer workers compensation would make them be complaint with all of the NFPA courses.

Electrical licensing bill if you allowed a lapse you have to three years and paying more for reinstatement.

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

Fire Department Services Committee –

Present: Mongold Gunnoe Camp

Called to Order at 10:10

ASFM Provaznik presents the FO 1 & 2 applications

Approved

John Bean	FO 2
Joseph Bernard	FO 1 &2
Harold Lowther Jr	FO 2
James Roberts	FO 1
James Peterson	FO 1 & 2
Richard Symns	FO 2

Christopher Tabit	FO 1 & 2
Anthony Keyser	FO 2
Joseph Rumore	FO 1 & 2
John Hall	FO 1 & 2
Joey Carey	FO 1 & 2
Denied	
Harvey Coffman	FO 2
Thomas Craigo	FO 1
Willima Lovett	FO 1 & 2

Commissioner Camp motions to accept the FO 1 & 2 2nd by Commissioner Gunnoe with all the ayes and nays having been taken on a voice vote, the motion passed.

Recertify Fire Departments

2014-96 Reedsville VFD

2014-98 Teays ValleyVFD

2014-42 Springfield Valley VFD

2014-46 Franklin Community VFD

2014-102 Fountain VFD

2014-60 Servia VFD

2013-01 Bancs VFD

2014-47 Fairlea VFD

2014-62 Frame VFD

2013-29 AlbrightVFD

2014-63 Sutton VFD

2015-004 Buckhannon VFD

2015-002 West Side VFD

2014-84 WashingtonLands VFD

2014-94 Marlinton VFD

2014-07 Clearview VFD

2014-45 Oakland District VFD

2015-008 PrincetonVFD

2014-41 Salt Rock VFD

2014-61 Chattaory VFD

Commissioner Gunnoe makes a motion to recertify staff's recommendations of fire departments 2nd by Commissioner Camp with all the ayes and nays having been taken on a voice vote, the motion passed.

James Porter Logan County speaks to the committee. Has a civil case going and has been told as a firefighter he is not an employee. He will speak to the full commission tomorrow.

Commissioner Camp makes a motion to adjourn at 10:40 seconded by Commissioner Gunnoe with all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner White 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.

Operations Committee-

Members present: Gunnoe, White, Keefer, and Mongold

Called to order at 2:00PM

Marshal Tyree gives an update on Policy and Procedures. Goal is to have a draft by April. Commissioner Gunnoe asks a draft to be sent to the committee members before the April meeting.

Staff vacancy- Tyree has met with the division of personnel to address vacancies within the agency. Secretary Thorton at DMAPS is backing the agency.

Acting Deputy Barker- gives the investigation report. Goes over statistics since last meeting. 9 fire fatalities for the year so far.

Deputy Leake- gives inspection/plan review report. Goes over what his division has done in January and December.

ASFM 2 Provaznik- gives FDSD report. Talks about how many Fire Departments were evaluated, emergency vehicle permits, and lots of NFRIS reports. He talked about fire department quarterly funding. He believes over 9000 emergency vehicle permits state wide.

Commissioner Gunnoe asked if people were asking about the new rule. Provaznik states that some confusion early on but now it is going better.

Marshal Tyree speaks about accommodations that came in for ASFM Chastain and ASFM Ayersman. ASFM Harms had a good part in the case with Delegate Skinner that will soon go to court. It's nice to see your people getting recognized. He has been in touch with Peg Carter for a risk assessment on our state fire loss.

Commissioner Mongold would like to look at different states to see what they are doing in Public Education. Commissioner Gunnoe hopes when a Deputy is placed in Public Education that they can help get us more up to par.

Glenn Whittington asks majority of fatal fires they don't have smoke detectors? Commissioner Gunnoe isn't totally sure but it usually states no working smoke detectors. Whittington feels that smoke detectors are a way to go.

Commissioner White made a motion to adjourn at 2:30 seconded Commissioner Keefer. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Miller 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.

Unfinished Business

City of Clarksburg- Commissioner White made a motion to find probably cause for 15001BCO seconded by Commissioner Stallard with all the ayes nays having been taken on a voice vote, the motion passed.

Commissioner Shriver made a motion to make this a part of the record to supplement it with the judge seconded by Commissioner White. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Shriver made a motion to dismiss 15-002BCO seconded by Commissioner Stallard. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Mongold made a motion to Clarksburg to give information on BCO seconded by Commissioner Miller. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Gunnoe makes a motion to find probable cause on 2014-93 2014-97 2014-99 2014-100 2014-101 2014-38 2014-103 2014-104 2015-99 2015-09 2015-03 2015-05 2015-06 2015-07 2015-10 given a 180 day extension seconded by Commissioner Mongold. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Gunnoe makes a motion for a 60 day extension to 2014-27 2014-50 2014-40 2014-59 seconded by Commissioner Shriver with all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner White made a motion to 2014-36 Follansbee VFD to begin decertification process seconded by Commissioner Stallard. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner White made a motion to 2014-22 to lift the decertification on Summit Park VFD seconded by Commissioner Stallard. With all the ayes and nays having been taken on a voice vote, the motion passed.

New Business

City of Kenova; they have updated the building code but hoping to have the consent order by the April meeting.

Commissioner White made a motion to retire Mark Lambert's weapon to him seconded by Commissioner Holstein. With all the ayes and nays having been taken on a voice vote, the motion passed.

Correspondence

Commissioner Goodwin spoke about the letter from the EMS and said he spoke to the mother and told her the Commission doesn't have jurisdiction.

Commissioners were asked to go back and ask fire departments what three regulations are causing them the most problems. Bring information back to the April meeting.

Good of the Order

Mr. Porter from Logan County speaks about his court case he will keep counsel up to date.

Commissioner Shriver would like to offer his condolences to Leslie and Tim on the recent loses in their family and thoughts to Commissioner Bonnett.

Counsel spoke about the passing of the past Fire Marshal, John Alfred he worked for Erie Insurance.

Next meeting is in Morgantown, WV at the Hilton Garden Inn April 14-15, 2015.

Commissioner Mongold made a motion to adjourn seconded by Commissioner Miller. With all the ayes and nays having been taken on a voice vote, the motion passed.