

**STATE FIRE COMMISSION MEETING  
DAYS HOTEL  
FLATWOODS, WV  
APRIL 5, 2013**

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

**COMMISSIONERS PRESENT:**

Bob Sullivan, Chairman  
Grant Gunnoe  
Thomas Keefer  
Michael Butcher  
Rick Scott  
Carl Sizemore

Gary Bonnett  
John Holstein (On the phone)  
Robert S. Miller  
Larry Goodwin  
Ted A. Shriver  
Virgil White

**COMMISSIONERS ABSENT:**

Doug Mongold

Chairman Bob Sullivan asked for a moment of silence for the Sheriff of Mingo County; Eugene Crum.

**APPROVAL OF MINUTES**

Commissioner White made a motion to accept and approve the minutes of the February 8, 2013 regular meeting. Commissioner Miller seconded the motion. The ayes and nays having been taken on a voice vote, the motion passed. Commissioner White made a motion to accept and approve the minutes of the March 1, 2013 special meeting. Commissioner Miller seconded the motion. The ayes and nays having been taken on a voice vote, the motion passed.

**COMMITTEE REPORTS:**

Training Committee – Commissioner White gave his report. A copy is attached to these minutes.

Commissioner Goodwin 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.

Fire Department Standards Evaluation Committee – Commissioner Sizemore stated they reviewed eleven (11) equivalency applications for Fire Officer 1. Nine (9) applications were approved. The following Fire Officer I applications were approved:

John Oliver  
Charles DeWayne Oneal  
Michael Simpson  
Christopher Ward  
Kenny White

Stone Church VFD  
Upper West Fork VFD  
Keyser VFD  
Cabin Creek VFD  
Cabin Creek VFD

Robert w Johnston, II  
Greg Jewell  
Matthew Morrison  
Brian Jones

Loup Creek VFD  
Cottageville VFD  
Cottageville VFD  
Morgantown FD

Nine (9) applications were reviewed for Fire Officer II with eight (8) being approved. The following applications for Fire Officer II were approved:

John Oliver  
Michael Simpson  
Christopher Ward  
Kenny White  
Harvey Johnson  
Robert w Johnston, II  
Matthew Morrison  
Brian Jones

Stone Church VFD  
Keyser VFD  
Cabin Creek VFD  
Cabin Creek VFD  
Trap Hill VFD  
Loup Creek VFD  
Cottageville VFD  
Morgantown FD

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

Recruitment, Retention and Research Committee –The recruitment, Retention, and Research Committee was called to order at 1600 hours on 4/4/13. Co-Chairman Robert S. Miller called the meeting to order. Those in attendance were Commissioner Miller, Bonnett, and Goodwin while Commissioner Holstein called in. Commissioner Mongold was absent.

Commissioner Miller passed out information on how Kentucky funds their training and workers compensation. General discussion followed. Chairman Ronnie Day of Kentucky has stated he would be glad to attend a Fire Commission meeting and explain in more detail how Kentucky operates their program. Motion made by Commissioner Bonnett and seconded by Commissioner Holstein to have Ronnie Day attend the June 6, 2013 meeting at the Fire Training Academy to explain Kentucky's program. Motion passed unanimously.

Commissioner Holstein stated he had talked to President James Oldkaer of the West Virginia State Firemans Assosication about establishing a standard for ribbons and medals for all fire fighters in West Virginia. These would be for acts of Valor, Dedication, Heroism, and etc. Commissioner Miller asked Commissioner Holstein to investigate this further and report back at the June meeting. Commissioner Holstein agreed.

There being no further business Chairman Miller asked for a motion to adjourn. Commissioner Bonnett made the motion to adjourn and Commissioner Goodwin seconded it. Motion carried. Committee adjourned at 16:15 hours.

Commissioner White 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.

Legislative Committee – Grant Gunnoe gave the report. Commissioners present were Gunnoe, Goodwin, and Bonnett. They discussed the Building Code and training rule and where they currently are in the legislative process.

SB569- Making the Fire Marshal position will and pleasure. Commissioner Sizemore spoke on and made a motion to send a letter to be communicated to the House that the Fire Commission is against this bill. Commissioner Butcher seconded it.

HB2945- A detailed study on fire department funding. It would take 7.5 million of the Fire Marshals budget to fund workers compensation. Sterling spoke on. Commissioner Bonnett and Scott asked a few questions about how this would affect the office. Commissioner Gunnoe made a motion have a letter written against the legislature taking those funds. Commissioner White seconded it.

Commissioner Sizemore 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.

Fire Department Services Committee – Commissioner Butcher gave the report. Commissioners Butcher and Gunnoe were present while Commissioner Holstein was on the phone. Twenty five (25) fire departments were up for recertification. Twelve (12) received certification while one (1) was not recertified and will now begin the hearing process. All others were deferred to the June meeting.

#### Fire Departments Recertified

Blennerhassett  
Canaan Valley  
Cottageville  
Davis Creek  
Hinton  
Keyser

Williamstown  
North Fork  
Sharples  
Loup Creek  
Lumberport  
Mount Storm

#### Fire Departments deferred to June Meeting

Clay  
Coal River  
Cyclone  
Erbacon  
Farmington  
Flatwoods

Logan #2  
Philippi  
Richwood  
Spelter  
Welch  
Wileyville

Fire Departments sent to hearing status

### Bancs VFD

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

Codes and Regulatory – Commissioner Shriver gave report. There were six public comments on the Fire Code and eighteen on the Home Inspector rule. They will hold a special committee meeting to go through these more thoroughly. There were no comments on the hearing procedure rule and there was a motion made to send it to the Secretary of State's office. Commissioner White made the motion and commissioner Keefer seconded the motion. The ayes and nays having been taken on voice vote, the motion passed.

Ralph Thorn request to make his own test bank was denied. Motion made by Commissioner Scott and Commissioner miller seconded the motion. The ayes and nays having been taken on voice vote, the motion passed.

Robert Hoe wanted to give eighty hours of free licensing education over the internet, was denied. Motion made by Commissioner Bonnett and Commissioner Goodwin seconded it. The ayes and nays having been taken on voice vote, the motion passed.

The commission would like to develop a policy on training requirements. The motion was made by Commissioner Sizemore and seconded by Commissioner Keefer. The ayes and nays having been taken on voice vote, the motion passed.

Ron King of Nitro, WV has requested an administrative hearing. Chairman Sullivan will schedule the hearing.

The commission has asked that the Fire Marshal staff begin drafting revisions to the Building Code Officials Rule, 2015 cycle. The motion was made by Chairman Sizemore and seconded by Commissioner Miller. The ayes and nays having been taken on voice vote, the motion passed.

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

### **STATE FIRE MARSHAL'S REPORT**

Sterling spoke about possible upcoming budget cuts and let the commission know that Chief Deputy Carrico and he had spoken with the staff. Fatalities are still running high. Sterling also announced that his last day would be April 30, 2013 that he would be retiring and thanked the commission for the progress that has been made over the years.

### **UNFINISHED BUSINESS**

Flatwoods Community VFD - Tim Provaznik spoke and said they are working on their training and have until the June meeting to complete.

Thomas VFD – The chief and Tim Provaznik spoke. They have twenty three (23) active members with four (4) line officers that all have Fire Officer I and II. Staff recommends recertifying and dismissing hearing procedures. Commissioner Gunnoe

made the motion while Commissioner Butcher seconded it. The ayes and nays having been taken on a voice vote, the motion passed.

Summit Park VFD- Tim Provaznik spoke that they still had multiple issues. The chief spoke about what they are doing to fix the problems with classes and etc. Staff recommends beginning the hearing process but will go with the advice of counsel.

Fort Gay VFD- Tim Provaznik spoke they are now in 100% compliance. They did have a day and a half shutdown for workers compensation issues but those were taken care of. Staff recommends recertifying. Commissioner Gunnoe made the motion while Commissioner Butcher seconded it. The ayes and nays having been taken on a voice vote, motion passed.

Cabin Creek VFD- Tim Provaznik says they are now in 100% compliance. Staff recommends recertifying. Commissioner Scott made the motion while Commissioner White seconded it. The ayes and nays having been taken on a voice vote, motion passed.

Bradshaw VFD- Tim Provaznik said training issues were up to par. Chief gave an update on classes and they are having their pump test on April 18, 2013. Staff recommends moving to June but will go with counsels advice.

Mabscott VFD- Sterling Lewis Jr. spoke with Ken Sayre (the attorney for the town of Mabscott). They are not interested in taking classes but the lawyer didn't know they could file for equivalency. At this time they have not filed for Fire Officer I and II equivalency. Staff recommends beginning hearing procedures but will go with counsel's advice. The motion was made by Commissioner Sizemore and seconded by Commissioner Miller. The ayes and nays having been taken on a voice vote, motion passed.

Davy VFD- Tim Provaznik says the Fire Chief stepped down and the new chief has until April 13, 2013 to finish Fire Officer I. The staff recommends sending to the June meeting but will go with the advice of counsel.

City of Bridgeport Fire Fee- Sterling Lewis Jr. spoke on the letters that the Fire Marshal has received regarding this. Commissioner Scott spoke about the first due areas and how close some of homes are to a certain fire department yet they want to be serviced by a department approximately five miles down the road. The commission moved to revisit this during the June meeting. Commissioner Gunnoe made the motion and Commissioner Goodwin seconded. The ayes and nays having been taken on a voice vote, motion passed.

## **NEW BUSINESS**

Bradley Prospierty FD- Sterling Lewis Jr. spoke on the complaint lodged against Bradley Prospierty FD. They were having bingo and a call came in while the Chief was home sick and the assistant Chief was home with a sick child. They did not respond and the Chiefs wife made that decision (she is a civilian) and she had no right to do that. The State Fire Marshal's Office filed the complaint and Tim Provaznik checked it out. They currently have twelve (12) active members with eight (8) having Fire Officer I and

II. The Assistant chief spoke about what they are doing to correct the issues so this will never happen again. Kevin Price spoke. Discussion followed. Staff recommends beginning the process of a six (6) month probation with the advice of counsel. The motion was made by Commissioner Bonnett and seconded by Butcher. The ayes and nays having been taken on a voice vote, motion passed.

Greenbrier Valley Rural VFD- Tim Provaznik checked the fire department out and found no validity in the complaint. Staff recommends this to be dismissed.

Ron King Building Code Inspector, Nitro- Has requested a formal hearing and it has been granted.

## **CORRESPONDENCE**

### **GOOD OF THE ORDER**

Kevin Price spoke about the legislative session and said he would do what he could to help. He feels the commission had made great progress the past few years.

Commissioner Bonnett thanked everyone for coming to the Upshur County training assistance program last night. They believe great things may come from this.

Mark Doty from the WV Fire Academy spoke about the Upshur County assistance training about how it opens eyes to the public. Also said they Junior Firefighter camp will be June 22-27, 2013 and would love for anyone to come and help teach.

Bradshaw Fire Department Chief thanked the Fire Marshal's office for coming and doing an evaluation. It was the first they had, had in approximately twenty (20) years. He said they can't always see what is wrong with the department and it is very helpful. He also said it would be great if the fire service could be made more aware of what is going on in the legislative session.

Greenwood Fire Department Chief says he has an issue with his run area. Another fire department is trying to take his first due area. The Fire Marshal told him to write a letter to the office and they would send it to the commission. He also stated that only the County Commission can submit to have a run area changed to the commission.

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

The next Fire Commission Meeting will be held at the WV Fire Academy June 7, 2013 in Weston, WV.

### **ADJOURN**

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

The Training Committee met at 13:00 hours at the Days Hotel in Flatwoods.

Commissioners present were, White Scott Miller, Butcher, and Holstien.

Items discussed were as follows;

WVU Fire Service Extension

Mark Doty discussed several fire schools around the state.

Lincoln County April 4-5

Wetzel/Tyler County April 19-21

Tactics at Canaan Valley May 27-28

Mingo County May 10-12

National Fire Academy Weekend October 12<sup>th</sup> or the 19<sup>th</sup> and will be joined with the State of Delaware and is hoping to get 5 classes going.

Mr. Doty also stated the Sissonville Fire School was a success and that Jr. Fire Camp Brochures will be sent out on Monday.

Commissioner Holstien asked about the certification Data. Mr. Doty stated that they are working with Safety Health Extensions and are getting information entered so students will be able to print off their own certificates and track their training hours.

WV Dept. of Education

Dr. Varner stated there are fire schools at Mineral County, Ritchie County, and the eastern panhandle.

The Accommodation Policy is ready to go and is piloting a class in RESA 7 area.

RESA 5 stated at the September Wood County Fire School Alan Brunacini will be in attendance Saturday night and conducting a class on Sunday.

RESA 8 passed out brochures for the Mineral County Fire School May 17-19

Commissioner Scott discussed taking a Train2Trainer class from DOH. It is called Traffic Incident Management (TIM). This is a nationwide class that deals with apparatus placement and is 4 hours long. The Professional Police Committee has adopted this course for Law Enforcement in the state.

Motion mad by Commissioner Miller to adjourn Seconded by Commissioner Butcher. All yeas. Meeting concluded at 13:13 hours.

Virgil C. White Chairman