

STATE FIRE COMMISSION MEETING
• State Fire Marshal's Office • Charleston, WV •

July 24, 2017

The official business meeting was called to order at 01:01 p.m. by Chairman Grant Gunnoe.

ROLL CALL:

Commissioners Present

Dave Camp, Carl Eastham, Doug Estep, Grant Gunnoe, Phil Hart, Jim Oldaker, Ted Shriver, Carl Sizemore, and Virgil White. It is noted that Counsel Stacy Nowicki is present as well.

Commissioners Absent

Martin Hess, Thomas Keefer, Doug Mongold, and Vic Stallard.

UNFINISHED BUSINESS:

Consideration of 87-2 Electrician's Rule – Public Comments

Chairman Gunnoe addressed the group in attendance and asked if anyone wished to speak before the Commission or express any comments or concerns. It is noted there were none. Chairman Gunnoe asked Marshal Tyree to take the floor and begin the discussion regarding the Rules.

Marshal Ken Tyree spoke and addressed the group and Commission. Marshal Tyree spoke and noted that the WV State Fire Marshal's Office conducted three (3) Electrician's Stakeholders Meetings that included officials / representatives from the Department of Education, Local IBW, several Vocation Schools and Instructors thereof, Home Builders Association, Contractors, Electrical Companies, among others. During these three (3) separate meetings, Marshal Tyree stated that lots of deliberation and feedback took place. He stated that there was a concern for Vocational Training portion pertaining to the Journeyman Licensing and an ability to sit for that testing.

Marshal Tyree noted there were 179 public comments made pertaining to rule all of which were nearly identical in content but endorsed by separate individuals concerned about the issues at hand. Marshal Tyree read aloud one of comment letters received.

Marshal Tyree further stated that there would be no problem at the WV State Fire Marshal's Office in establishing a license identified as a Single-Family Dwelling Journeyman License. That this license would state such and the license would allow the worker to work as a Journeyman in the defined area.

Marshal Tyree noted there were changes made to definitions not necessarily definitive changes. Addition to Higher Education facilities, reflecting that those in such program would need 600 on the job or work hours to be able to sit for a Journeyman License test.

Chairman Gunnoe and Marshal Tyree noted that the changes were made based on the many Stakeholders Meetings and collectively displays a great team effort made by all.

Chairman Gunnoe noted the filing date for the 87-2 Electrician's Rule as June 16, 2017 and the 30-day public comment period that took place thereafter.

Commissioner Sizemore made a motion to amend the Rule 87-2, in response to the comments received to accomplishing the requests in the following manner ...

Under 2.4 Specialty Electrician License add:

d. A "single family residential dwelling journeyman electrician license (SP-SFDJ) which authorizes the licensee to install, maintain, or repair only electrical wiring and devices that are in or on a single family residential dwelling or an ancillary to a single family residential dwelling. Electrical work that is covered by another special restricted license can be performed by a SP-SFD licensee without obtaining the other special restricted license as long as it is in or on a single family residential dwelling or an ancillary to a single family residential dwelling. This license also allows the bearer to function as "Apprentice Electrician" in commercial and all other settings so that the hours worked maybe applied to "Journeyman Electrician" license as noted in §87-2-2.2.

Seconded by Commissioner Eastham. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Sizemore made a motion to amend the Rule 87-2, in response to the comments received to accomplishing the requests in the following manner and file ...

Under 4.4 Specialty License add:

4.4.a" Single Family Residential Dwelling Journeyman Electrician License (SP-SFDJ)

Must have completed an electrical vocational education program of at least one thousand eighty hours in length approved by the state board of education which should have an On-the-Job training/work hours module included and successfully passed all final written and practical testing as required by the WV Department of Education with an affidavit from each student's instructor showing competency to sit for the journeyman electrician examination. This license also allows the bearer to function as "Apprentice Electrician" in commercial and all other settings so that the hours worked maybe applied to "Journeyman Electrician" license as noted in §87-2-2.2.

Seconded by Commissioner White. With all the ayes and nays having been taken on a voice vote, the motion passed.

Chairman Gunnoe noted approval to Counsel Nowicki to file.

Consideration of 7-3 HazMat Rule – Public Comments

Chairman Gunnoe addressed the group in attendance and asked if anyone wished to speak before the Commission or express any comments or concerns. It is noted there were none.

Marshal Tyree spoke regarding the two (2) Stakeholders Meetings that took place to develop and review the Rule. He noted that no changes were made after the Stakeholders meeting and it is noted there were no public comments received during the 30-day public comment period.

Marshal Tyree briefed on the new requirement of the Sunset Rule and the Five (5) year period for the need to make changes / revisions based on that new requirement.

Marshal Tyree noted is the staff's recommendation for the 87-3 HazMat Rule to go forth as is.

Commissioner White made a motion to accept and approve the filing of the updated 87-3 HazMat Rule. Seconded by Commissioner Eastham. With all the ayes and nays having been taken on a voice vote, the motion passed.

Chairman Gunnoe noted approval again to Counsel Nowicki to file.

NEW BUSINESS:

Consideration of Modular Pilot Training Program Policy

Commissioner Oldaker discussed and briefed the Meeting that took place in this morning. The group made discussion and the need for an individual participant application along with a Department Application and potentially policies for each. An individual application was developed and presented before the Commission.

Commissioner White made a motion accept and approve the Individual Pilot Modular Training Application pending Counsel review and approval. Seconded by Commissioner Eastham. With all the ayes and nays having been taken on a voice vote, the motion passed.

Further discussion evolved around the application to establish for the Departments to complete. Such document would be required to be signed by the Fire Chief or Board of the Department. Commissioner Gunnoe expressed that the application would need to state that the Chief understands the modular training program and he/she is responsible for the participant by ensuring they have the proper training gear and insurance coverage understanding the liability thereof.

The group discussed that it would be ideal to have an attachment that would provide the Chief or Board of Department that listed do's and don'ts of the program or what a participant can do at the end of each modules completion.

The WVSFMO will develop an application similar to that of the Individual Application and have that prepared for the Fire Department Services Committee meeting August 10th to review and perhaps present to the full Commission for approval at that time.

Chairman Gunnoe asked if anyone wished to speak or had any further comments on the topic. It is noted there were none.

Discussion continued and evolved around the identification of participants of the modular training and that some type of identification would be distributed from the Fire Marshal's office after completion of each Module. Chief Deputy Sharp and other WVSFMO staff will review the potential costs of stickers for helmets and report the same during the August Committee Meetings.

TIME AND PLACE OF NEXT MEETING(S):

Next regularly scheduled Committee Meetings will take place Thursday, August 10, 2017 at the South Branch Inn in Moorefield, WV beginning at 10:00 a.m.

Next regularly scheduled Commission Meeting will take place Friday, August 11, 2017 at the South Branch Inn in Moorefield, WV beginning at 9:00 a.m.

GOOD OF ORDER:

It is noted there was none.

ADJOURN:

Commissioner Eastham made a motion to adjourn at 1:25 p.m., second by Commissioner White, with all the ayes and nays having been taken on a voice vote, the motion passed.
