

STATE FIRE COMMISSION MEETING

• Fire Commission / State Fire Marshal's Office • Charleston, WV •

October 13, 2017

PLEASE NOTE:

The following minutes have been provided and are considered unofficial, until they are submitted for approval at the next scheduled meeting.

The official business meeting was called to order at 09:00 a.m. by Chairman Grant Gunnoe.

ROLL CALL: by Chief Deputy State Fire Marshal Sharp

Commissioners Present

Edward George, Grant Gunnoe, Dave Camp, Carl Eastham, Doug Estep, Martin Hess, Doug Mongold, Ted Shriver, and Virgil White. It is noted that Counsel Stacy Nowicki is present as well.

Commissioners Absent

Thomas Keefer, Phil Hart, Jim Oldaker and Carl Sizemore.

APPROVAL OF MINUTES:

Commissioner Mongold made a motion to accept and approve the minutes of the August 11, 2017 and September 8, 2017 Meetings. Commissioner White seconded the motion. The ayes and nays have been taken on a voice vote, the motion passed.

COMMITTEE REPORTS:

• Fire Department Services Committee

Commissioner Mongold read the Committee Report from Meeting – October 12, 2017 as follows:

Call to order

Commissioner Oldaker called to order the regular meeting of the Fire Department Services Committee at 10:00 AM on October 12, 2017 at the West Virginia State Fire Marshal's Office.

Roll call

Commissioner Oldaker conducted a roll call. The following commissioners were present:

Dave Camp  
Grant Gunnoe  
Phil Hart

Jim Oldaker

The following commissioners were absent:

Doug Mongold  
Carl Sizemore

Old business

**a) Modular Firefighter Training Pilot Program Update**

Commissioner Oldaker began discussion referencing enrollment forms, helmet decals and draft of Modular Firefighter Training Pilot Program policy. Commissioner Oldaker asked if the committee had the chance to review. Commissioner Hart and Commissioner Camp both agreed. Commissioner Oldaker asked about any concerns needing addressed. Chief Deputy Sharp stated that we had received quotes from the WV Correctional Industries and that the cost seemed reasonable. However, it seemed that minor changes needed to be made to the enrollment forms for the individual and department. Commissioner Gunnoe questioned changes and continued discussion regarding a disclaimer on the form occur. The following changes shall be noted on the forms:

*“Department: This application is not transferrable for any individual transferring to another fire department.*

*Individual: Transfer is not permitted to another fire department without a new application being completed by the department to whom the individual is transferring to.”*

On individual forms, the requirement for the driver’s license number and state of issuance shall also be removed.

Commissioner Oldaker suggested a motion for disclaimer on department enrollment forms. It was seconded by Commissioner Camp.

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

New business

**a) 2017-001-FDS Underage Children Responding to Fire Calls**

Commissioner Gunnoe recommended going into executive session to discuss a complaint regarding a fire department.

Commissioner Oldaker moved to have an executive session. It was seconded by Commissioner Camp.

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

Once the executive session ended, Commissioner Oldaker called for a motion to draft a letter to said fire department regarding the complaint and findings/violations.

Commissioner Hart made a motion to draft a letter to said fire department regarding violations and forward the agency’s letter of staff’s findings to the Division of Labor. It was seconded by Commissioner Camp.

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

Commissioner Grant Gunnoe made a motion to draft a letter to all departments concerning the regulations of Junior Firefighters. It was seconded by Commissioner Camp.

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

**b) Fire Officer I and II Applications**

Assistant State Fire Marshal Bradley Scott asked the Commission and audience if anyone had any questions regarding applications.

Mark Carr	Fire Officer II	Moorefield VFC
Marcus Gaston	Fire Officer II	City of Beckley FD
Jonathan Vandergiff	Fire Officer II	Jefferson VFD

There were no questions. Commissioner Oldaker made a motion to approve and end the discussion. It was seconded by Commissioner Camp.

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

Adjournment

Commissioner Camp moved to adjourn the meeting at 10:50 AM. It was seconded by Commissioner Oldaker.

\*Commissioner Gunnoe asked for further clarification on the changes in the modular training program. Chief Deputy Robert Sharp began clarifying the changes made on the application, which were the transfer disclaimers and the removal of the driver's license requirement section. Chief Deputy Sharp states that it is going to be 3-4 weeks before stickers can be ordered and received.

\*Commissioner White made a motion to accept the changes. It was seconded by Commissioner Eastham. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Eastham made a motion to accept the report. It was seconded by Commissioner Mongold. With all the ayes and nays having been taken on a voice vote, the motion passed.

• Recruitment and Retention Committee

Commissioner Estep read the Committee Report from Meeting – October 12, 2017 as follows:

Call to order

Commissioner Phil Hart called to order the regular meeting of the Recruitment and Retention Committee Meeting at 10:57 AM on October 12, 2017 at the West Virginia State Fire Marshal's Office.

Roll call

Commissioner Phil Hart conducted a roll call. The following commissioners were present:

Doug Estep  
Edward George  
Grant Gunnoe

Jim Oldaker  
Martin Hess

#### Old business

- a) Commissioner Hart asked for an update on the Service Award- Challenge Coins and Chief Deputy Fire Marshal Sharp explained that staff is awaiting the bid for the challenge coins to provide a proof for the fire commission to approve. There are some rough concepts, but nothing now to show the committee.
- b) Commissioner Hart briefly described some of the ideas that have been brought up at past meetings.

#### New business

##### **c) Set/Schedule Workgroup Meeting**

State Fire Marshal Kenneth Tyree wanted to find a person for recruitment and retention for fire departments. He will attempt to contact National Volunteer Fire Council Chair Kevin Quinn to see if he could possibly provide a course for the WV Public Safety Expo on May 2017.

Commissioner Phil Hart recommended setting up a workshop meeting. State Fire Marshal Kenneth Tyree stated that he could set one up for the November timeframe. Commissioner Phil Hart would obtain the potential dates from stakeholder groups (State Firemen's Association and WV Chiefs Association).

Commissioner Grant Gunnoe asked State Fire Marshal Kenneth Tyree regarding if there were areas in crisis mode because of inadequate volunteer firefighters. State Fire Marshal Kenneth Tyree stated he has not been made aware of any areas in crisis mode. There was general discussion about fire departments and their funding, specifically Williamsburg. State Fire Marshal Kenneth Tyree read aloud the letter from the State Auditor's Office concerning fire departments funding loss.

Commissioner Grant Gunnoe recommended having individuals go to the State 911 Council meetings held in various locations around the State to see if any feedback could be obtained regarding areas that need assistance.

#### Adjournment

Commissioner Phil Hart moved to adjourn the meeting. It was seconded by Commissioner Doug Estep. With all the ayes and nays having been taken on a voice vote, the motion passed.

\* Commissioner Eastham made a motion to accept the report. It was seconded by Commissioner Mongold. With all the ayes and nays having been taken on a voice vote, the motion passed.

#### • Training Committee

Commissioner White read the Training Committee Report from Meeting – October 12, 2017 as follows:

Call to order

Commissioner White called to order the regular meeting of the Training Committee Meeting at 11:28 AM on October 12, 2017 at the West Virginia State Fire Marshal's Office.

Roll call

Commissioner White conducted a roll call. The following commissioners were present:

Carl Eastham

Doug Estep

Edward George

The following commissioners were absent:

Tom Keefer

Old business

Commissioner Virgil White called for an update on the Fire Marshal Academy.

**a) Fire Marshal Academy Update**

Fire Marshal Kenneth Tyree states that they are working on the outline for the fire marshal academy. He gave staff more time to work on it and the outlines will be received prior to the December Fire Commission Meetings for discussion then.

**b) Modular/Pilot Training Workgroup Update**

Commissioner Virgil White discussed drafts for enrollment forms and policy and asked if anyone had any questions or comments. CW Sigman, Kanawha County Director of Homeland Security and Emergency Management, stated that he has not had any complaints regarding modules and that everything on the test was covered in the material. Chief Deputy Robert Sharp asked about the existing program in Kanawha County having moved some skills between different modules. Director CW Sigman stated that some of the skill requirements needed to be moved to Module Four. Director CW Sigman discussed the passing rates of the exams as well as the material in the exams in Module Four. Chief Deputy Robert Sharp stated that we would like to see the which skills were moved in the material. Chief Deputy Robert Sharp discussed skill sheets. General discussion continued about the material in the modules. The material in Firefighter 1-13 and Firefighter 1-14 needs to be moved from Module Two to Module Four.

Commissioner Grant Gunnoe called for a motion to move these skills (Firefighter 1-13 and Firefighter 1-14) from Module Two to Module Four. Commissioner Eastham made a motion to move. It was seconded by Commissioner Doug Estep.

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

Chief Deputy Robert Sharp stated that there needed to be discussion regarding the procedures for stickers and certificates once modules are completed. After discussion, it was decided that the Fire Marshal's staff could make this decision and communicate with the training agencies that are providing the modular pilot program training.

#### New business

##### **a) Staff/Counsel**

Commissioner Virgil White asked if there were any items up to discuss. State Fire Marshal Kenneth Tyree stated that there was nothing to discuss.

##### **b) WVU Fire Service Extension – Training Capabilities 10 Minute Presentation**

Mark Lambert, director of the WVU Fire Service Extension, stated that he had a presentation. It was decided to provide presentation in the general session tomorrow to show the full commission. Director Mark Lambert discussed the National Fire Protection Agency "NFPA" is seeking information for a proposal for a new standard for fire support personnel less than Firefighter I level. The National Volunteer Fire Council supports it. Director Mark Lambert discussed the State Fire School in Morgantown December 1-3, 2017. He discussed a two-day fire safety class in February 2018 in Morgantown.

##### **c) WV Public Service Training/WV Dept. of Education**

The Asset Conference is November 3-5, 2017 at the Canaan Valley Resort. Pipestem Escape Conference is planned for February 20<sup>th</sup>, 2018 through February 25, 2018. The website for the training is wvpst.org and it shows training information. General discussion held by Robbie Bailey, Jim Shedd and Ralph Kosar.

##### **d) WV State Firemen's Association**

Glenn Whittington states there will be a listening session meeting to be hosted by the VFD/EMS Subcommittee of the Legislature on Sunday, October 15, 2017, beginning at 6pm at the Madison Civic Center, 261 Washington Avenue, Madison, WV 25130.

#### Adjournment

Commissioner Carl Eastham moved to adjourn the meeting at 11:59 AM. It was seconded by Commissioner Doug Estep. With all the ayes and nays having been taken on a voice vote, the motion passed.

\* Commissioner Mongold made a motion to move the Modular Firefighting Pilot Program Training Skills FF 1-13 and FF 1-14 from Modular 2 to Modular 4. It was seconded by Commissioner Estep. With all the ayes and nays having been taken on a voice vote, the motion passed

\* Commissioner Mongold made a motion to accept the report. It was seconded by Commissioner Estep. With all the ayes and nays having been taken on a voice vote, the motion passed.

\*Mark Lambert, the director of WVU Extension Fire Service, began his power point presentation on new portable training equipment and discussed the grant that they received. He states they have expanded their training equipment. He discussed the new props they have, such as a helicopter prop, car props and hazmat trailers. He states that these will all be displayed at the State Fire School.

• Legislative, Codes & Regulatory Committee

Commissioner Shriver read the Legislative, Codes & Regulatory Committee Report from Meeting – October 13, 2017 as follows:

Call to order

Commissioner Ted Shriver called to order the regular meeting of the Legislative, Codes and Regulatory Committee Meeting at 1:07 PM on October 12, 2017 at the West Virginia State Fire Marshal's Office.

Roll call

Commissioner Ted Shriver conducted a roll call. The following commissioners were present:

Dave Camp

Jim Oldaker

Martin Hess

Ted Shriver

The following commissioners were absent:

Tom Keefer

Old business

**a) Consideration of Municipality Home Rule Board Rulings**

Discussion by Commissioner Ted Shriver concerning the Municipality Home Rule Board ruling held over on abeyance. The board meeting that Fire Marshal Kenneth Tyree was to attend was rescheduled. There was no update. Further discussion will be postponed until the next commission meeting in December.

**b) Consideration of HomeSpection Training Institute**

Deputy State Fire Marshal Allan Casto stated a report was received by the review committee. Deputy State Fire Marshal Allan Casto also stated that it meets the requirements of the 87-05 legislative rule and completion of the 80-hour requirement. Deputy State Fire Marshal Allan Casto respectfully submits to allow the establishment of the HomeSpection school for home inspectors.

Commissioner Ted Shriver suggested a motion to approve HomeSpection as an acceptable training facility.

Commissioner Dave Camp made a motion to approve HomeSpection an acceptable training facility. It was seconded by Commissioner Martin Hess. With all the ayes and nays having been taken on a voice vote, the motion passed.

**c) Status of Governor's Bill Modifying WV Code Chapter 29 Article 3  
Status of Junior Firefighters 21-6-2  
Consideration of 29-3B, Electrician's Statute**

State Fire Marshal Kenneth Tyree stated that these bills are currently pending at the Governor's Office. He stated that there were no foreseeable reasons as to why they would not move forward. State Fire Marshal Kenneth Tyree stated that once approved, we would find necessary sponsors.

New business

**a) Electrician's Rule 87-2, Hazmat Training Program Rule 87-3**

State Fire Marshal Tyree spoke about stakeholders' meeting concerning language in Electrician's Rule. He stated that he was unsure if it had been addressed. The Legislative Rule Making Committee has potential plans to have a meeting in November.

**b) Solar Permitting Plan Review Course**

Jack Jamison, secretary for IAEI, promoted his program, Solar Permitting Plan Review Course. He stated the speaker for the program is David Humphreys. He is nationally known. Jack stated that there is an educational grant for the program and that it is a great deal. They plan to merge with the West Virginia Code Officials Association and hold a meeting regarding the grant in Flatwoods. Jack offered flyers to everyone regarding the program and recommended to put it on the West Virginia State Fire Marshal's website. The program is for installers, instructors, plans examiners, inspectors, etc. He asked if anyone had any questions. Commissioner Shriver asked if code officials still met quarterly and Jack Jamison stated they canceled the June meeting. They will meet in December, March and September.

**c) NFPA 1078 & 78, requirements for electrical inspectors**

State Fire Marshal Kenneth Tyree stated that NFPA 1078 and 78 are two new codes being proposed at the national level and are still in draft form. One is a requirement for an electrical inspector and the other is how said electrical inspector are to operate and execute their duties as an inspector.

Adjournment

Commissioner Martin Hess moved to adjourn the meeting at 1:24 PM.

\* Commissioner Mongold made a motion to accept the report. It was seconded by Commissioner Eastham. With all the ayes and nays having been taken on a voice vote, the motion passed.

• Disciplinary Committee

Commissioner Eastham read the Disciplinary Committee Report from Meeting – October 12, 2017 as follows:

Call to order

Commissioner Eastham called to order the regular meeting of the Disciplinary Committee Meeting at 2:00 PM on October 12, 2017 at the West Virginia State Fire Marshal's Office.

Roll call

Commissioner Eastham conducted a roll call. The following persons were present:

Edward George

Martin Hess

Ted Shriver

The following commissioners were absent: Doug Mongold

Commissioner Carl Eastham moved to approve the agenda. Commissioner Martin Hess made a motion to approve. It was seconded by Commissioner Edward George.

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

Old Business

**b) 16-002-HI – Mr. Lee Harless Update**

Deputy Allan Casto stated that Lee Harless was released from Western Regional Jail and that he could not be tracked down.

Commissioner Carl Eastham moved to table until he is found. Commissioner Martin Hess made a motion to table. It was seconded by Commissioner Ted Shriver.

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

**c) 2017-003-BCO**

Legal counsel Stacy Nowicki advised that this needs to be discussed in executive session.

**d) 2017-005-HI**

Deputy State Fire Marshal Allan Casto stated no further action needed to be taken on this matter because the individuals in question are now licensed.

Commissioner Carl Eastham moved to take no further action. Commissioner Ted Shriver made a motion to take no further action. It was seconded by Commissioner Edward George.

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

New business

**d) 2017-001-FDS Underage Children Responding to Fire Calls**

Legal counsel Stacy Nowicki recommended to enter into an executive session since probable cause had not been found.

Commissioner Carl Eastham called for a motion to move into an executive session. Commissioner Ted Shriver made a motion to move into an executive session. It was seconded by Commissioner Edward George.

With all the ayes and nays having been taken on a voice vote, the motion passed. Commissions entered executive session at 2:18. Commissioner Ted Shriver made a motion to come out of executive session. It was seconded by Commissioner Martin Hess.

With all the ayes and nays having been taken on a voice vote, the motion passed. Commissions exited executive session at 2:46.

After coming out of executive session, Commissioner Ted Shriver made a motion to find probable cause 2017-001-FDS. It was seconded by Commissioner Edward George. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Ted Shriver made a motion to notify the Division of Labor regarding 2017-001-FDS for possible violations of labor laws. It was seconded by Commissioner Martin Hess. With all the ayes and nays having been taken on a voice vote, the motion passed. It is agreed upon that the West Virginia State Fire Marshal's Office will notify the department in question as well as other departments about laws related to Junior Firefighters limitations as it relates to fire departments.

**e) Departments Requesting 180 Days**

Commissioner Shriver made a motion to find probable cause on 2017-039, 2017-040, 2017,042, 2017-043, 2017-044, 2017-045, 2017-048 and 2017-050 with a second by Commissioner Hess.

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

Commissioner Shriver made a motion to Grant a 180-day extension to 2017-039, 2017-040, 2017,042, 2017-043, 2017-044, 2017-045, 2017-048 and 2017-050. Motion was seconded by Commissioner Hess. With all the ayes and nays having been taken on a voice vote, the motion passed.

**f) Departments to Be Recertified**

Assistant State Fire Marshal Bradley Scott presented a list of departments that met all requirements to be recertified:

- Tygart Valley VFD
- Tornado VFD
- Nuttall VFD
- Smithers VFD

- Pax VFD
- Loup Creek VFD
- Armstrong VFD
- Mabscott VFD

Assistant State Fire Marshal Bradley Scott presented a list of departments that need to be recertified for having perfect evaluations:

- Colliers VFD
- Bethany VFD
- Mckinleyville VFD
- Bethany Pike VFD

Commissioner Martin Hess made a motion to recommend recertification. It was seconded by Commissioner Ted Shriver.

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

**g) Other Disciplinary Issues**

2017-003-BCO

Commissioner Ted Shriver made a motion to drop the complaint and to have staff file a secondary complaint and conduct a secondary investigation based upon non-compliance items found in the original complaint. It was seconded by Commissioner Martin Hess. With all the ayes and nays having been taken on a voice vote, the motion passed.

Adjournment

Commissioner Eastham moved to adjourn the meeting at 2:57 PM. A motion was made by Commissioner Ted Shriver. It was seconded by Commissioner Edward George.

\*Commissioner Eastham made a motion to find probable cause on 2017-39, 2017-40, 2017-42, 2017-43, 2017-44, 2017-45, 2017-48 and 2017-50. It was seconded by Commissioner Mongold. With all the ayes and nays having been taken on a voice vote, the motion passed.

\*Commissioner Mongold made a motion to grant a 180-day extension to correct deficiencies for Sophia Area VFD, Sophia City VFD, Follansbee VFD, Hooverson Heights VFD, Wellsburg VFD, Franklin Community VFD, Beech Bottom VFD, and Windsor Heights VFD. Second by Commissioner Eastham with all the ayes and nays having been taken on a voice vote, the motion passed.

\*Commissioner Gunnoe raised questions about referring the complaint 2017-001-FDS Underage Children Responding to Fire Calls information to the Department of Labor. Counsel Nowicki advised that all we can do at this point is send a letter to the Department of Labor. Commissioner Gunnoe discussed

the issue regarding underage children and fire departments. Commissioner Gunnoe suggested that we work jointly with the Department of Labor regarding the underage children and fire department issue.

\*Commissioner Eastham made a motion to send a letter to the Division of Labor with all the information that we have collected. It was seconded by Commissioner Estep. With all the ayes and nays having been taken on a voice vote, the motion passed.

\*Commissioner Eastham made a motion to accept the report. It was seconded by Commissioner Estep. With all the ayes and nays having been taken on a voice vote, the motion passed.

• Operations Committee

Fire Marshal Tyree stated that his staff will present their division reports: Deputy State Fire Marshal Allan Casto, Deputy State Fire Marshal Jason Baltic, Deputy State Fire Marshal Clarence Leake and Public Information Specialist II Courtney Rosemond and that he will complete with the overall agency operations report.

Deputy State Fire Marshal Casto shared his report on the Fire Service Division for the period of August 1, 2017 through September 30, 2017:

Regulatory and Licensing Section

Total Licenses Issued: 792  
Total Certifications Issued: 78  
Total Applications Processed: 330  
Total Permits Issued: 232  
Online Renewals: 219

Fire Service Division for the period of January 1, 2017 through September 30, 2017:

Regulatory and Licensing Section

Total Licenses Issued: 17,565  
Total Certifications Issued: 236  
Total Applications Processed: 1,949  
Total Permits Issued: 748  
Online Renewals: 5,528

Total Consumer Fireworks Certificates Issued

Permanent: 56  
Temporary: 193  
Wholesaler: 15  
Outdoor Storage: 164  
Novelties: 150

FIRE DEPARTMENT SERVICES							
RECENT ACTIVITY							
2016/2017							
	AUG 2017	SEP 2017	TOTAL	2017 YTD	FY2017	FY2016	FY2015
FIRE DEPT EVALUATIONS	2	10	12	51	47	104	92
DEPTS RECERTIFIED	6	0	6	31	63	137	63
DISCIPLINARY	3	0	3	15	44	138	59
180 DAYS	14	0	14	27	46	155	85
EMERGENCY VEHICLE PERMITS							
TOTAL PROCESSED	60	40	100	580	718	1,263	555
APPARATUS	27	12	39	199	208	334	144
PRIVATE	33	28	61	381	510	929	411
DEACTIVATED	50	52	102	573	655	1,203	829
APPARATUS	22	9	31	134	133	218	106
PRIVATE	28	43	71	439	533	895	723
VERIFIED AND REFUSED	4	2	6	79	72		
APPARATUS	1	0	1	45	44		
PRIVATE	3	2	5	34	28		
NFIRS							
TOTAL REPORTS SUBMITTED	6,063	2,676	8,739	78,749	129,047	186,114	130,634
90 DAY GRACE	0	59	59	202	223	508	147
OUT OF GRACE	5	5	10	130	198	541	146
* FUNDING LOSS	0	5	5	13	23	28	1
NFIRS CLASSES TAUGHT	0	0	0	4	5	7	8
COUNTIES REPRESENTED IN NFIRS	0	0	0	8	15	43	20
NUMBER OF NFIRS STUDENTS	0	0	0	51	66	123	60
FIRE OFFICERS							
TOTAL SUBMITTED	1	2	3	25	42	97	59
FIRE OFFICER 1	0	0	0	11	17	37	23
FIRE OFFICER 2	1	2	3	14	25	60	36
FOIA REQUESTS (AS OF 7/1/16)							
REQUESTS RECEIVED	10	16	26	126	154		
REPORTS PROCESSED	32	24	56	1,346	1,381		
REPORTS RESEARCHED	238	27	265	5,818	5,531		
* FDS THAT LOST FUNDING 9/28/17							
BLACKSVILLE VFD, FDID: 31101							
MATOAKA VFD, FDID: 28107							
MONTCALM VFD, FDID: 28108							
RUPERT VFD, INC, FDID: 13150							
SILVER HILL VFD, FDID: 52114							

Commissioner Gunnoe asks if anyone has any questions. No questions were presented.

Deputy State Fire Marshal Baltic shared his report on the Investigation Division for the period of August 1, 2017 through September 30, 2017:

August 1, 2017 to September 30, 2017

Total Number of Fires 1AUG17 to 30SEPT17 – 85

Accidental – 15

Incendiary – 17

Undetermined – 35

Fatality Total 01AUG17 to 30SEPT17 – 9

Injury Total 01AUG17 to 30SEPT17 – 3

Total \$ loss 01AUG17 to 30SEPT17 - \$1,919,650

Educational - \$1,000

Mercantile - \$0

Other Structures - \$1,000

Outside / Special Properties - \$0

Residential - \$1,732,100

Storage - \$40,050

Vehicles - \$5,200

Total \$ loss 01AUG17 to 30SEPT17 that are declared Incendiary - \$1,919,650

Total number of fires cleared by arrest or exceptional means – 4

January 1, 2017 to September 30, 2017

Total Number of Fires 1JAN17 to 30SEPT17 – 446

Accidental – 74

Incendiary – 93

Undetermined – 226

Fatality Total 01JAN17 to 30SEPT17 – 47

Injury Total 01JAN17 to 30SEPT17 – 18

Total \$ loss 01JAN17 to 30SEPT17 - \$ 15,973,050

Educational - \$1,300

Mercantile - \$1,255,100

Other Structures - \$8,000

Outside / Special Properties - \$10,300

Residential - \$121,341,000

Storage - \$363,150

Vehicles - \$234,700

Total \$ loss 01JAN17 to 30SEPT17 that are declared Incendiary - \$15,973,050

Total number of fires cleared by arrest or exceptional means – 27

Deputy State Fire Marshal Baltic asked if anyone had any questions. No questions were presented.

Deputy State Fire Marshal Leake shared his report on the Inspection and Plans Review Division for the period of August 1, 2017 through September 30, 2017:

1018 Inspections Conducted  
272 Plans Reviewed (Does not count walk-in consultations with architects and designers)  
46 Occupancy Permits Issued  
591 Licenses Checked

Complaint Investigations:

Investigated nineteen (19) fire code complaints  
Investigated one (1) licensing complaint  
Investigated one (1) electrical complaint  
Investigated one (1) blasting complaint

Training:

Taught a three (3) day basic fire inspection class for new municipal fire inspectors in Morgantown.  
Two divisional members attended an advanced Sprinkler and Standpipe design class at the Ohio Fire Academy.  
Twelve (12) divisional members attended an advanced electrical class sponsored by the International Association of Electrical Inspectors.  
All divisional members completed semi-annual firearms qualifications

Court Hearings:

Raleigh County – Two (2) convictions for violations of the State Fire Code

Administered seven (7) licensing tests

Assisted the Investigation Division with fire w/fatality in Greenbrier County  
Assisted the Investigation Division with fire w/fatality in Randolph County  
Investigated fires in schools in Kanawha and Mineral Counties

Presented fire safety/code training at the West Virginia Hospital Engineers conference

Game Day inspection details at WVU and Marshall and after-hours street detail in Morgantown

Fire Inspection and Plans Review for the period of January 1, 2017 through September 30, 2017:

5827 Inspections Conducted  
1221 Plans Reviewed (Does not count walk-in consultations with architects and designers)  
166 Occupancy Permits Issued  
2434 Licenses Checked

Complaint Investigations:

Investigated seventy-eight (78) fire code complaints  
Investigated four (4) blasting complaints  
Investigated four (4) licensing complaints

Investigated ten (10) electrical complaints  
Investigated one (1) fireworks complaint

Fireworks:

403 Facilities  
75 Pyrotechnician Licenses  
56 Public Displays  
Issued five (5) citations for selling fireworks without a permit  
Confiscated fireworks in Raleigh County with an approximate value of \$12,000.00

Training:

Taught three-three (3) day basic fire inspection class for new municipal fire inspectors  
Nine (9) divisional members attended a one-day seminar on the National Electric Code  
One divisional member attended Fire Protection Principles class at the National Fire Academy  
All divisional members attended week-long training in Charleston – EXPO  
Seven (7) divisional members attended a one-day fire door inspection class  
Five (5) divisional members attended LAST training for Line of Duty Firefighter fatalities  
Two divisional members attended an advanced Sprinkler and Standpipe design class at the Ohio Fire Academy  
Twelve (12) divisional members attended an advanced electrical class sponsored by the International Association of Electrical Inspectors  
All divisional members completed semi-annual firearms qualifications

Court hearings:

Fayette County – Two (2) convictions for unlicensed electrical work  
Raleigh County – Fire Code citation – Case continued  
Raleigh County – Fire Code citation – one conviction for destruction of property  
Raleigh County – One (1) conviction for tampering with fire protection equipment  
Kanawha County – Fire Code citation – Case continued  
Braxton County – Five (5) convictions for tampering with fire protection equipment  
Berkeley County – Two (2) convictions for tampering with fire protection equipment  
Raleigh County – Two (2) convictions for selling fireworks without a permit  
Raleigh County – Two (2) convictions for violations of the State Fire Code

Obtained eleven (11) warrants for tampering with sprinkler heads at Central Regional Jail  
Obtained twenty-one (21) warrants for tampering with sprinkler heads at Southern Regional Jail  
Obtained two (2) warrants for tampering with sprinkler heads at Potomac Highlands Regional Jail  
Issued citation to an individual for performing electrical work w/o a license in Cabell County

Division personnel expended six hundred eighty-three (683) hours assisting with the Boy Scout Jamboree

Administered twenty-seven (27) licensing tests

Conducted exit checks at various basketball games

Conducted checks of various fireworks displays

Assisted the Investigation Division in Kanawha and Mingo Counties

Assisted the Investigation Division with fire w/fatality in Greenbrier County  
Assisted the Investigation Division with fire w/fatality in Randolph County

Investigated fire at South Central Regional Jail  
Investigated fires in schools in Kanawha and Mineral Counties

Checked blasting permits in Monongalia County

Presented fire safety/code training at the West Virginia School Service Personnel meeting in Morgantown  
Presented fire safety/code training to the Raleigh County school administrators, maintenance and custodian staffs  
Presented fire safety/code training at the West Virginia Hospital Engineers conference

Game Day inspection details at WVU and Marshall and after-hours street detail in Morgantown

Deputy State Fire Marshal Leake also stated that there are personnel changes that Fire Marshal Tyree will address.

**Public Information Specialist II Courtney Rosemond gave a report on our public education efforts:**

We are continuing with media releases and social interactions. Our division continues to partner with fire departments across the state. She stated that the American Red Cross has helped a lot recently. We have received 150 alarms from the Red Cross and 70 alarms were installed. The rest of those alarms will go to the Charleston Fire Departments. The Get Alarmed WV program will wrap up this weekend. So far, 2,310 alarms have been sent to fire departments and other organizations. We have roughly 350 fire alarms left in our inventory and fire departments call for fire alarms often.

Yesterday, a fire prevention week tab was in the newspaper.

The second Annual Fire Safety Poster Contest is currently taking place. This year, thirty-two counties were involved.

**Public Education Accomplishments**

AUGUST 2017 THRU OCTOBER 2017

Media Releases – 2

- Institute Area – Get Alarmed WV Campaign
- State Fire Marshals Investigate Fire Fatality in Greenbrier Co.

Social Media interactions – 239 new Facebook subscribers since Aug. 5th, weekly safety messages are disseminated through Facebook and Twitter.

October Safety Spotlight - Newsletter ready for disbursement with an added special edition to recap our Safety Summit and provide additional information.

Partnerships – 4

- Red Cross
- Americorp.
- Charleston FD

- Dunbar FD

Public Education Network – 2 new members since August 2017, 105 total members since April 2016.

Public interactions completed – 16

- Calhoun County Back to School Block Party
- Davy VFD
- Wyoming Co. Fire Association Meeting
- Jefferson VFD 50th Anniversary Celebration
- Smithers VFD
- Oak Hill Parade of Lights
- Raleigh Co. 9/11 Tribute Parade of Lights
- Cross Lanes Smoke Alarm Installation
- Child Fatality Review Team
- Senior Advisory Committee (SAC) Workgroup Meeting
- Oceana VFD
- Preparedness Fair in Greenbrier Co.
- WV American Water Safety Day
- United Way Day of Hope smoke alarm canvassing
- Get Alarmed WV Institute Installs
- Lowe's Safety Day

Ongoing Projects:

**Get Alarmed West Virginia** – Our initiative Get Alarmed West Virginia is underway with at least 2,310 smoke alarms to be installed by 26 participating fire departments. This campaign as a part of the Governor's Day to Serve began in September and will finish on October 14th. In order to reduce the loss of life, installing smoke alarms is the first step. The American Red Cross along with the State Fire Marshal's Office have supplied smoke alarms.

**Smoke Alarm Installations:**

In conjunction with our Get Alarmed West Virginia Initiative we continue to give fire departments smoke alarms, with the understanding that they will install the alarms to those in need.

Through 20/20 Fire Prevention the Public Education Division received another 1000 smoke alarms in February 2017.

- Smoke alarms installed to date that have been entered into a tracking system is 150
- Smoke alarms being installed by fire departments is 343

**Second Annual Fire Safety Poster Contest** – Elementary school aged children have finished poster submissions and sent them to the State Fire Marshal's Office to be judged. Judging will take place on October 20th with the help from the Cabinet Secretary, First Lady and the State Schools Superintendent. An announcement will be made on October 24th of the selected winners that will be featured in our calendar.

**Community Risk Reduction for FY 2016-2017** – To better understand the fire and fatality problem in the state, through data provided by our investigations division we have identified and prioritized local risks, followed by the integrated and strategic investment of resources (emergency response and prevention) to reduce their occurrence and impact. Attached you will see our findings.

Public Information Specialist II Courtney Rosemond asked if anyone had any questions. Commissioner Gunnoe states that there has been a lot of media coverage and that is good.

State Fire Marshal Tyree clarifies that the Get Alarmed initiative will continue throughout the year.

State Fire Marshal Tyree then presents the overall Operations Report:

**Mr. Chairman, members of the Commission:**

- Our Salary Increase proposal is still in process and is awaiting approval. It has had positive movement!
- Personnel Staffing:
  - New Employee: Sarah Robinette OA Inspection Division; Derek Sesco Transferred from Plans Review to new ASFMIT in Inspection Division; Lonnie Cogar ASFMIT in Inspection starting October 16<sup>th</sup>; Justin England ASFMIT in Investigation Division October 30<sup>th</sup>
  - Resignation/Termination/Retirement: Rudy Raynes effective Oct. 31<sup>st</sup>; Shawna Goodwin, Administrative Secretary
  - We are seeking to have two positions reallocated which would allow two employees a promotional opportunity within the Admin Division: WE ARE VERY HOPEFUL for this approval. Desk Audit: October 19<sup>th</sup>
  - We have 11 vacancies within the agency (4 Inspectors, two Plans Reviewer and one Public Information Specialists; one, Secretary I in Services Division and two OA II in Services Division; and Administrative Secretary position we're hopeful to get all vacancies filled by NLT Dec. 2017.
  - New Agency FTE = 58
- Electrician's Rule and Hazardous Material Training Program Rule update; It's been filed and since its filing we've had concerns expressed by the Chief of State's Career and Technical Education Division. AWAITING Legislative Rule Making Committee meeting either in November or December.
- Awaiting Approvals from Governor's Office: Submitted intent to DMAPS on other intended changes to statutes 29-3B, Supervision of Electricians; 29-3-5b, Energy Code removal; 21-6-2, Child Labor, Junior FF language clarifications.
- Continued Working on a Fire Marshals Academy program. For SFMO new hires and potentially municipality and political subdivisions who have or would have interest in establishing Fire Prevention Bureaus. We'll be meeting again sometime this summer, then in the Fall, with program development completed by Feb. 2018 with the 1<sup>st</sup> class to launch in Fall of 2018.
- Services Division working with State Treasurers office on use of "Lock Box" system; Working great we're looking to continue our completion of the system's use with the development portion of Lock Box for Invoicing of Plans Review and Inspection activities. We see great potential with this payment and receipt option.
  - Report on Potential On-line capabilities for Funding Application and Evaluation Form.

- We've been awaiting technical assistance from an agency that was willing to help but due to staffing issues has not be able to assist with this project currently. We may be able to move one step further but nowhere near to what we wanted to have completed.
- Policy Update: None
- Fire Department Loss of Funding: Reported by Deputy Casto for this past quarter under Fire Dept. Services.
  - (The two deadlines involved are the quarter deadline and then 90 days later, the grace period deadline. Other than being decertified, not submitting their NFIRS incident reports by the prescribed due date is the only way to lose their funding. It has nothing to do with the 180-day issue. Once they miss the grace period deadline, the money is lost and reallocated to the departments that were in compliance. There is no getting it back after hat.) Share info rec. letters from Treasury; we'll be making an inquiry to see if there are earlier notification/communications that can be provided to help and assist departments to prevent the loss of their distributions.
- Visits and Meetings:
  - Municipal Home Rule Board Meeting has been rescheduled for October 19<sup>th</sup> in Elkins
  - Several visits by myself, Sharp, and others members of the agency Inviting all to participate in the Statewide Smoke Alarm Initiative.
  - Firemen's Convention, Elkins Forest Festival Firemen's Parade,
  - Presented to Joint Committee on VFDs and EMS concerning SIX items the committee had questions about: 1) Surcharge tax, -emphasis given to need for increase for Workers Compensation and Training Cost, 2) Training Requirements being the same for Paid and Volunteer Depts., 3) Concerning # of Paid, Part-Paid, & Volunteer Depts., 4) Distribution of Surcharge monies to Part-Paid & Volunteer Depts., 5) Fireworks Safety fee distributions to same said depts., 6) One additional item I mentioned concerned Presumptive Cancer Issue for all Firefighters; the committee has asked for presentations by presenters outside of this agency for this week's Interim Committee meetings concerning Worker's Compensation rates and Presumptive Cancer Issue for Firefighters.
  - Joint Committee Meeting for Volunteer Fire Departments will be having a listening session meeting on Sunday, Oct 15<sup>th</sup> at the Madison Civic Center at 6pm that I plan to be in attendance at.
  - Our agency will be making an inquiry to the State 911 Council to make integration and assist where possible and help mitigate potential concerns if they arise concerning Fire Dept. response.
- Training: Staff members will be attending Fire Investigation training in Morgantown this coming Monday Oct. 16-17 in Morgantown.

#### OUTREACH

- October 14<sup>th</sup>, regionally located-statewide "Get Alarmed West Virginia" Initiatives; Initiative was launched and we'll continue to work through until we cover the state with smoke alarms being installed in all needy homes.
- Fire Fatality information improvement; restructure collection of information from, FDs, Investigator, Dispatch, & Local Media; more to come on this project. Data Collection and Analysis piece is crucial to the work we're trying to do to educate and reduce these numbers.

- Commend Staff and Thanks Commission for your support! Special Thanks to Chief Deputy Sharp and Mrs. Washington for completion of each the committee's meeting notes late last night for today's meeting and pre-meeting preparations that were made.
- Glad to answer any questions!

Commissioner Mongold asked if we will attend all of those meetings. State Fire Marshal Tyree states that he intends to be there if possible.

Commissioner Gunnoe asks if there are any questions.

Commissioner Shriver asks about the eleven vacancies. State Fire Marshal Tyree states that the Inspections Division has four Inspector positions and two Plan Reviewer positions. There is one Public Information Specialist position. There is a Secretary position and two Office Assistant II positions in the Services Division. There is an Administrative Secretary position. He states that three of those positions are brand new positions.

Commissioner Shriver asks when the salary increases will take effect. State Fire Marshal Tyree states that probably around December and possibly as early as the pay period before.

Commissioner White made a motion to accept the Operations Report. It was seconded by Commissioner Eastham. With all the ayes and nays having been taken on a voice vote, the motion passed.

UNFINISHED BUSINESS:

Consideration of Municipality Home Rule Board Rulings Update- No action is needed from the Commission at this time.

Consideration of 2017-003-BCO Update (Inspectors licensed / Waiting on BCO Disciplinary Course)- Commissioner Eastham begins discussion and states that no further action is needed other than the secondary complaint.

Consideration of Modular Firefighting Training Pilot Program Update- This was taken care of after the Fire Department Services Committee Report as seen above in the minutes.

Consideration of HomeSpection Training Institute- Commissioner Shriver made a motion to approve HomeSpection an acceptable training facility. It was seconded by Commissioner Eastham. With all the ayes and nays having been taken on a voice vote, the motion passed.

NEW BUSINESS:

Consideration of 8 fire departments to grant 180 extensions to correct deficiencies was taken care of after the Disciplinary Committee Report as seen above in the minutes.

Commissioner Mongold made a motion to accept and approve the following applications for FO2:

Mark Carr	Fire Officer II	Moorefield VFC
Marcus Gaston	Fire Officer II	City of Beckley FD
Jonathan Vandergiff	Fire Officer II	Jefferson VFD

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

Commissioner Eastham made a motion to accept and approve Recertification of the following fire departments, noting they are coming out of 180-day extension:

Tygart Valley	Randolph County
Tornado	Kanawha County
Nuttall	Fayette County
Smithers	Fayette County
Pax	Fayette County
Loup Creek	Fayette County
Armstrong Creek	Fayette County
Mabscott	Raleigh County

Second 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 accept and approve Recertification of the following fire departments, noting these departments had perfect evaluations:

Colliers VFD  
Bethany VFD  
Mckinleyville VFD  
Bethany Pike VFD

Second by Commissioner Mongold with all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Gunnoe noted that in the future he would like those fire departments coming out of 180-day extensions for recertification be placed under “Unfinished Business” and those that are being recertified after a new evaluation be placed under “New Business”.

CORRESPONDENCE: None

TIME AND PLACE OF NEXT MEETING(S):

Next regularly scheduled Committee Meetings will take place Thursday, December 14, 2017 at the Stonewall Jackson Resort in Weston, WV beginning at 10:00 a.m.

Next regularly scheduled Commission Meeting will take place Friday, December 15, 2017 at the Stonewall Jackson Resort in Weston, WV beginning at 9:00 a.m.

GOOD OF ORDER:

Chief Deputy Sharp discussed possible 2018 dates and locations with the Fire Commissioners.

Commissioner Carl Eastham called for a moment of silence in memorial for the passing of Charleston Fire Chief Carl Beaver for the contributions he made to firefighter issues with the legislature over the years.

Commissioner Mongold asked for prayers on behalf of Rick Gobble, who is having some serious health issues.

Commissioner Shriver reported on his attendance at the International Code Conference and his appointment to serve on the Building Official Committee.

ADJOURN:

Commissioner White made a motion to adjourn at 10:43 a.m., second by Commissioner Estep, with all the ayes and nays having been taken on a voice vote, the motion passed.

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