

STATE FIRE COMMISSION MEETING
WV State Fire Marshal's Office, Charleston, WV
October 9, 2015

The official business meeting was called to order at 0909 by Chairman Carl Sizemore.

Recognition of Commissioner Carl Eastham replacing Commissioner Rick Scott on the Fire Commission.

Roll Call:

Commissioners Present:

Carl Eastham, Dave Camp, Grant Gunnoe, Doug Mongold, Carl Sizemore, Tom Keefer, John Holstein, Ted Shriver, Vic Stallard, and Virgil White

Commissioners Absent:

Larry Goodwin, Gary Bonnett, and Robert S. Miller

Approval of Minutes:

Commissioner Mongold made a motion to accept and approve the minutes of the August 12, 2015 regular meeting. Commissioner White seconded the motion. The ayes and nays having been taken on the voice vote, the motion passed.

Committee Reports:

Training Committee Report

Called to Order @ 11:15

Commissioners White (Chair), Eastham, Stallard and Holstein was present

Call to Order

Roll Call

Unfinished Business: None

Training and Standards:

Differences between the FO1 & FO2 Courses and FO1 & FO2 Equivalency (Hazmat Awareness / Operations Certifications)- This subject was discussed at length in the Fire Department Services Committee Meeting. Counsel Stephen Connolly stated that Commissioner Holstein pointed out that the document of Fire Commission approved classes states that Fire Officer 1 only requires HazMat Awareness. The Fire Marshal's website will need an updated "WV Career Fire Service Approved Training Courses" document.

Revision of training requirements for WV Career Fire Service Approved Training Courses will be taken up at the December Training Committee Meeting and Fire Commission Meeting.

Discussion continued to make the Hazmat Operations Course a prerequisite of the Fire Officer courses.

New Business/Updates from:

Staff/ Council- None

WVU Fire Service Extension- Mark Lambert WV Weekend November 7-8, 2015. Hoping to get an office in Beckley. Next weekend Pro Board challenge in Charlestown, WV. A new Arson class was taught by Field Deputy Fire Marshal Baltic with new slides from the first 11 chapters of the manual. Goal is to have 5 weekend classes that will be equivalent to the 2 week National Fire Academy Course for Fire Investigators.

RESA/ WV Dept. of ED- Mike Freeman – the ASSET Conference November 13-15 with Fire Commission Roundtable on November 15.

C.W. Sigman, Fire Coordinator, Kanawha County Emergency Management- Submitted a letter to the Fire Marshal for review concerning- “Millennials” young generation member recruitment and membership to require some basic ancillary training to get them involved quicker in the fire service. Under 87-8-2 (2.2) change the definitions of “ancillary support member” and proposed training for ancillary firefighter in 4 hour blocks. After completing this training those who want to become drivers should be allowed to take the driver operator course. This should not be a prerequisite for fire officer and only 10% of the members department should be allowed to be trained only to this level. Discussion also included truck drivers as ancillary support members.

A motion was made by Commissioner Holstein to bring to the full commission for discussion tomorrow the proposal concerning- “Millennials” young generation member recruitment and membership to require some basic ancillary training to get them involved quicker in the fire service. Under 87-8-2 (2.2) change the definitions of “ancillary support member” and proposed training for ancillary firefighter in 4 hour blocks. After completing this training those who want to become drivers should be allowed to take the driver operator course. This should not be a prerequisite for fire officer and only 10% of the members department should be allowed to be trained only to this level. Discussion also included truck drivers as ancillary support members. Motion failed for lack of a second.

Misc. Comments/Questions-None

Adjournment- With no other business a motion was made by Commissioner White to adjourn, seconded by Commissioner Eastham at 12:45pm

Commissioner Stallard made a motion to accept the committee’s report. Commissioner Shriver seconded the motion. The ayes and nays having been taken on the voice vote, the motion passed.

Disciplinary Committee Report

Called to Order @ 1445.

Commissioners Eastham (Chair), Shriver and Stallard was present.

Commissioner Stallard made a motion to go into executive session at 1450; seconded by Commissioner Shriver. The ayes and nays having been taken on the voice vote, the motion passed.

The Disciplinary Committee came out of executive session at 1615 and resumed the regular meeting.

Commissioner Stallard made a motion to find probable cause on 2015-056, 2015-057, 2015-062, 2015-063, 2015-059, 2015-060, 2015-065, 2015-064, 2015-067, 2015-066, 2015-068 and 2015-069; seconded by Commissioner Shriver with all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Shriver made a motion to the following named fire departments to recommend a 180 day extension; seconded by Commissioner Stallard with all the ayes and nays having been taken on a voice vote, the motion passed.

Elk District
Tri Town
Roberts Ridge
Anthony Creek
Tri County
Rupert
Upper Laurel
Summersville
Boothsville
St. Joesph
Bruceton Brandonville
Gandeeville Harmony

Commissioner Stallard made a motion on the 2014-29 Wharton Barrett VFD to recommend a 120 day extension; seconded by Commissioner Shriver with all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Stallard made a motion on 2014-59 Coalwood Caretta VFD to recommend tabling to the December Fire Commission Meetings; seconded by Commissioner Shriver with all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Stallard made a motion on the 2014-73 New Cumberland VFD to recommend a 60 day extension; seconded by Commissioner Shriver with all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Stallard made a motion on the 2014-92 Marmet VFD to recommend a 30 day extension; seconded by Commissioner Shriver with all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Stallard made a motion on the 2014-100 Levels VFD to recommend a 60 day extension; seconded by Commissioner Shriver with all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Stallard made a motion on the 2014-101 Rivesville VFD to recommend a 180 day extension; seconded by Commissioner Shriver with all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Stallard made a motion on the 2014-006 Dallas VFD to recommend beginning the decertification process; seconded by Commissioner Shriver with all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Stallard made a motion on the 2014-007 McMechen VFD to recommend a 60 day extension; seconded by Commissioner Shriver with all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Stallard made a motion on the 2014-104 Belmont VFD to recommend beginning the decertification process; seconded by Commissioner Shriver with all the ayes and nays having been taken on a voice vote, the motion passed.

Adjournment- With no other business a motion was made by Commissioner Eastham to adjourn, seconded by Commissioner Stallard at 16:45pm

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

Legislative, Codes and Regulatory Committee Report

Called to Order @1420s

Commissioners Shriver, Goodwin (By Conference Call) and Camp was present.

Mr. John Brumley, Mrs. Regina Skeen and Mr. Dale Oxley from Home Builder's Association was recognized and briefly discussed their interests in public safety and legislative & codes concerning home builders.

Old business-None

Legislative- Council Steve Connolly reported. Sunday November 15 and 16 Legislative meetings:

WV Code Title 87-1, State Fire Code Filed

WV Code Title 87-4, State Building Code Filed

WV Code Title 87-7, Building Code Officials Filed

WV Code Chapter 29 Article 3

New business- None

Adjournment at 1429. Motion by Commissioner Camp.

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

Fire Department Services Committee Report

Called to Order @ 10:00

Commissioners Mongold (Chair), Gunnoe, and Camp was present.

Mr. Scott from the Fire Marshal's office presented the committee with the following applications for

Fire Officer I and II.

Kenneth Stump– FO II

Jonathan Jorgensen– FO I and II

James Dean– FO I

David Sykes– FO II

Joni Lou Belcher– FO II

Steve Richards– FO II

Bennie Cogar– FO I

Robert C. Stump– FO II

Danny Stump– FO I and II

James Armstrong– FO I and II

Lisa Ford– FO I and II

Commissioner Gunnoe made a motion to approve all of the applications and Commissioner Camp second the motion and it was approved.

Mr. Scott presented a list of departments that needed to be recertified because they meet all the requirements of the commission. They are as follows:

Raysel

Worthington

Clintonville

Anmoore

Frost

Williamsburg

Matoaka

Newell

Terra Alta

Mt.Grove

Gary

Fellowsville

Windsor Heights

Fire departments that had perfect evaluations (Certificates will be issued for perfect evaluations):

Patternson Creek

City of Bluefield

Quinwood

Commissioner Gunnoe made a motion to approve all the department for recertification second by commissioner Camp. Motion was approved.

Other Fire Department Services Business:

Lester Volunteer Fire Department Substation Approval Request (Raleigh County)- Commissioner Gunnoe made a motion to approve, second by commissioner Camp. Motion was approved.

Fire Officer Equivalency Program hazardous materials training requirements history and explanation by Asst. Fire Marshal Bradley Scott and RESA- Mike Freeman. Counsel Steve Connolly referenced the Training Requirement Appendix. Discussion followed that since 2013 everyone is trained in Firefighter 1 course to include Hazmat Operations certification, between 2010-2013 it was optional.

With no other business a motion was made by Commissioner Gunnoe to adjourn, seconded by Commissioner Camp at 10:40am

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

Operations Committee Report

Cancelled (Fire Marshall Tyree will make a report at the full Fire Commission Meeting).

Commissioner Gunnoe reported that the Operations Committee Report would be given at this time 0930 during the Fire Commission Meeting

Deputy Fire Marshal's Division Reports:

Fire Inspections- Assistant Fire Marshal Rudy Raynes

Fire Investigation- Field Deputy Fire Marshal Jason Baltic

Fire Services- Fire Marshal Ken Tyree

Report from Fire Marshal Ken Tyree on personnel and operations:

Training

Leg., Code & Regulatory

City of Kenova (monitoring & reporting of) Bob Cannon, Beckley Code Official

For any additional information, feel free to contact me at: rlcannon@beckley.org;

304-256-1757 (direct); or 304-237-2912 (mobile)

Operations

Mr. Chairman, members of the Commission, & to all in attendance: Recognized Deputy Secretary Morris from Department of Military Affairs and Public Service in attendance.

1. Present FY2015 Annual Report; in part this is only a reflection of the agency and the fire service throughout the state.
2. HB 103 Report status update; the Body of this work when completed will be reflected also in next year's annual report; I feel this report will be a foundation block for future evaluation and actions necessary to strengthen the fire service as a whole throughout the state; thanks should be given and will be reflected in the report to members of this body and others such as

- Firemen's Assoc., Chief's Assoc. State Insurance Comm., State Auditor's Office, Legislative Auditor's Office, Dept of Revenue; next Commission we will share the report with this body.
3. Policy and Procedure Status LEPS board report, Certification possibilities (firearms & LE ideas, Fire Commission certification/approval & possible setting of salaries. Nov 17th Mtg, Dec 1st follow-up, Dec 8-9 for approval; Ask each Division to provide suggested training curriculum beyond our CORE L.E training/certification that will be established. Areas of concentration over the next month will be Certification Program Development, Divisional & Agency Curriculum and Training Plan for sworn personnel.
 4. Re-establishment of the Deputization program Code Enforcement and researching the possibility of a limited program for Fire Investigation. The curriculum and training requirement portion will get reworked prior to program re-establishment. Which I want to roll out by January.
 5. Read A Loud Challenge. Fire Departments also Distribution of the books to each Elementary classroom Pre-K thru 3rd grade. In December, I'll be able to better report the success of the challenge.
 6. Commission on Oil & Natural Gas Safety; Chairman: Emergency Response & Notification Committee: Recommendations for Report to Governor due Mid November; the Charge the Governor has given us is: "to review federal and state oil and natural gas workplace safety guidelines and provide recommendations for improving safety in this particular industry for the state. The report is due Nov. 16.
 7. Renovations 2nd Floors is still in progress with the Hearing Room & a few other small renovations, estimated time of completion & relocation of the Investigation Division 3rd week of October.
 8. Working with WV Interactive we'll have a facelift of the Website in the Oct 30th timeframe; to include more user friendly technology for mobile devices. We are also working on the creation of an online renewal system for licensing and certification for the program; electrician renewals will be the initial focus.
 9. Met w/entire staff to provide updates, human resource training, CPR/AED training
 10. Resignation of Patrick Barker for Private work; Hiring of Bobby Palmer (Raleigh Co.); Promotions/New Assignments: Missy Hapney ASM 1, Rose Taylor OA 3, Tracy Weese ASA 1, Valerie Lacy Sec. 1, Alice Morrison OA 3
 11. Job Postings: Administrative Secretary interviews completed awaiting DOP; Public Information Spec. 2 & two-PIS 1 (total of 86 applications); Interviews set Goal of Nov 1st (Admin Sec) mid Nov (PIS positions). Also we've had two temps last two months; three OA 2 positions; Fire Marshal In Training positions also.
 12. Fire Department Loss of Funding: AURORA (Preston Co.) VFD, FDID: 3910; BENWOOD (Marshall Co.) VFD; COTTAGEVILLE (Jackson Co.) VFD
 - a. (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.)

13. WV Public Safety Expo: new element Fire Marshal track
14. Community Risk Reduction Plan project a-Analysis of Response & Call information to create a planned approach to attack the issues face to incl. fire fatality problem; 500 Smoke Alarms will be provided for use from the project There is a chance that the CRR may be a part of the annual report and it's my expectation due to the stats and charts that will be used, the report will be in color. Alice Morrison to attend workshop and upon rec. of ARC GIS completion by March 2016.
15. Culmination of most of the reports due Annual, HB 103, Policy & Procedures: Goal to make things better our agency, the WV Fire Service, Citizen through collection & evaluation of data, reporting, & finding recommendation and solution to making better and more stable in what we do and the service we provide. I'm committed to this goal of improvement and making things more stable and better.
16. Visit to WV Firemen's Convention; Boone Co. Fire School
17. Fallen FF Memorial Ceremony, Sunday Oct 11, 1pm, State Cultural Center

Unfinished Business

City of Clarksburg- Commissioner Stallard discussed attempting better communication concerning this case. Counsel Connolly explained the proceedings so far.

Arson Classes- Mark Lambert spoke and gave a brief update.

City of Kenova- FM Tyree gave an update that Mr. Bob Cannon about monitoring of compliance based on consent order.

James Davis and Llanzee Complaint- Counsel Connolly gave an update that both sides must provide information by Nov 15 and a decision will be presented at the December Fire Commission Meeting.

Dunbar Extension Request- Mr. Hugh Leishman spoke on his behalf concerning his training update and provisional status. Commissioner White made a motion to extend provisional status with conditions to include that he only perform inspections in the disciplines he is certified for and report back on his status at the December Fire Commission Meeting, Second by Commissioner Mongold. The ayes and nays having been taken on the voice vote, the motion passed.

Anawalt VFD Cease and Desist Order & Decertification Process- Counsel Connelly gave an update to the legal process. Fire Chief Castle appeared to speak on behalf of the fire department and gave an update on their progress to recertify. Some requirements have been fulfilled since May, but they still do not have insurance and are not operational. They still do not have SCBA testing, Fire Officer Training, State Inspection Stickers, Pump or Hose Testing Records, etc. Time frame to complete the necessary requirements is awaiting the next Fire Officer Training mainly and acquiring insurance. Commissioner Mongold recommended looking into the Fire Officer Equivalency Process with the Fire Marshal's Office. Documentation was requested attesting to completion of CPR/First Aid Certification, EVP Stickers and Hazardous Materials Training. Anawalt is in a voluntary shut down. The county commission has not rendered any assistance.

Commissioner Stallard made a motion to enter into a consent degree with the Anawalt VFD to make continued efforts toward recertification, Second by Commissioner Holstein. The ayes and nays having been taken on the voice vote, the motion passed.

Keystone VFD Cease and Desist Order & Decertification Process- Counsel Connelly gave an update to the legal process. Fire Chief Scott appeared to speak on behalf of the fire department and gave an update on their progress to recertify. Fire Chief Scott said all items had been taken care of with the exception of Fire Officer 1 & 2 training certifications, hose testing (contracts have been signed), etc. Commissioner Mongold made a motion to table to the next Fire Commission Meeting to discuss this matter with the Keystone VFD to make continued efforts toward recertification, Second by Commissioner White. The ayes and nays having been taken on the voice vote, the motion passed.

New Business

Berkeley County Fire Prevention Unit Reorganization Request- Counsel Connelly gave information concerning this request to include a newspaper article and organizational chart. No action was taken on this request, but Commissioner Gunnoe suggested placing on the December agenda "Consideration of how the Fire Commission is going to address future Fire Prevention Units".

State Fire Marshal's Office Policy & Procedures Manual Approval- Discussed in Operational Report by Fire Marshal Tyree.

Commissioner Stallard made a motion to begin the decertification process on the Dallas VFD; seconded by Commissioner Eastham with all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner White made a motion to begin the decertification process on the Belmont VFD; seconded by Commissioner Mongold with all the ayes and nays having been taken on a voice vote, the motion passed.

Fire Officer 1 & 2 applications were approved as reflected in the committee reports.

Recertification of Fire Departments was approved as reflected in the committee reports.

Correspondence-

Glenn requested to speak about doing something about recruitment and retention of firefighters in West Virginia.

Commissioner Holstein would like a list of upcoming EVOG classes from anyone in the audience.

Executive Session

Commissioner Sizemore made a motion to go into executive session from 1157 to 1244; seconded by Commissioner Mongold. The ayes and nays having been taken on the voice vote, the motion passed.

The Commission resumed the regular meeting at 1244.

2015-010-BCO and 2015-012-BCO - Commissioner Stallard made a motion to dismiss this complaint, Second by Commissioner White, The ayes and nays having been taken on the voice vote, the motion passed.

Randy Spellman City of Bridgeport Complaint and City of Bridgeport Complaint- Commissioner Stallard made a motion to dismiss this complaint, Second by Commissioner Eastham. The ayes and nays having been taken on the voice vote, the motion passed.

Good of the Order-None

Special Meeting Announcement

Special Meeting of the Fire Commission will be on Tuesday November 3 at 1:30pm to discuss House Bill 103 at the Fire Commission office in Charleston. This notice will be sent to the Secretary of State to be placed on the Online Meeting Notices.

Time and Place of Next Regular Meeting

Next meeting is at the Greenbrier, White Sulphur Springs, WV December 9, 2015

Adjournment

Commissioner Sizemore made a motion to adjourn at 1250; seconded by Commissioner Eastham. With all the ayes and nays having been taken on a voice vote, the motion passed.