

WV STATE FIRE COMMISSION MEETING  
WVSFMO • Charleston, WV •

August 14th, 2020

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

ROLL CALL: by Kathryn L Burns

Commissioners Present

Edward George, Grant Gunnoe, Dave Camp, Carl Eastham, Doug Estep, Thomas Keefer, Phil Hart, Doug Mongold, Jim Oldaker, Ted Shriver, Mark Stroop, Virgil White and Marshal Tyree.

It should be noted that Counsel Nowicki is present as well.

Commissioners Absent

None

APPROVAL OF MINUTES:

Commissioner White made a motion to accept and approve the minutes of the June 5<sup>th</sup> and June 23<sup>rd</sup>, 2020 Fire Commission Meetings, seconded by Commissioner Eastham. With the ayes and nays have been taken on a voice vote, the motion passed.

SFMO REPORT:

Marshal Tyree gave his report to the Commission.

**August 14, 2020**

**Fire Marshal's Report to Operation's Committee**

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

- **Personnel Staffing:**
  - **New Employee:**
  - **Promotions/Reallocations:**
  - **Resignation/Termination/Retirement:** Robert Sharp, Chief Deputy, Resignation; Kathy Wolfe, ASA, Transfer
  
- We have **9 vacancies** within the agency: **Three (3)** ASFM in Training, **(1) Plans Examiner 1;** Inspection Division; **one (1)** Public Information Specialists; **One (1)** Office Assistant 3, **(1)** Chief Deputy FM; Admin Div., and **One (1)** Admin Svcs Asst II, **(1)** Regulatory Licensing Spec. 2, Services Division.
  - Current postings: Plans Examiner; OA III, Regulatory Licensing Specialist 2; working with DOP on class spec for changes due to Basic LE Academy completion requirement.
  
- **Legislative update:**

- SB 586 **DMAPS Bill** Fire Marshal & Fire Commission separation of duties and Bed & Breakfast language edits (**Eff. 5-28-2020**)
  - Statutory change allows us to operate without the Rule changes, but we will be working on those over the next couple legislative cycles/
    - **103 CSR 6 BCO Rule – Elec. Inspection edits submittal for LRM consideration**
- HB 4803 Electrical Inspector License (**Eff. 6-5-2020**)
  - **Third Party requirements allow for Journeyman license holder; no chg**
- **Fire Department Loss of Funding:**
  - (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 complying. 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.
- **Two Significant Projects**
  - Bid Process for Software and Technology infrastructure to enhance efficiencies within the Inspection Division; Fire Dept. Services Section, and Licensing and Certification Division
    - Goal: Begin launch at beginning FY 2021 with full implementation by December 2020.
  - SFMO Fire Safety Poster Contest – With current circumstances and school options being varied; contemplating possible options including on-line invitations or postponement for this year.
- **Visits and Meetings**
  - **Funeral Attendance**
- **Correspondence**
- **Commendations:**
  - Express gratitude to agency staff and navigation through COVID concerns

Marshal Tyree entertained questions from the Commission and there were none.

Commissioner Gunnoe addressed those in attendance noting that Commission reappointment letters had been received for Commissioner Camp, Commissioner Oldaker and himself.

Commissioner Mongold inquired about the status of the Chief Deputy position and Marshal Tyree explained the decision to delay filling it.

COMMITTEE REPORTS:

No Committee meetings were held due to Covid 19 restrictions.

Commissioner Gunnoe noted the need to have Committee meetings in either October or December.

Counsel Nowicki cautioned the Commission on restrictions that may be in place in the Legislative Sessions due to Covid 19 and how that may affect normal processes.

UNFINISHED BUSINESS:

**1) Consideration of Benwood VFD Certification Issue**

ASFM Scott updated the Commission noting Benwood VFD are on the list to be recertified. The issue has been resolved. No further action needed.

**2) Consideration of Berkeley County Local Fire Prevention Unit**

Commissioner Gunnoe updated the Fire Commission on the progress of the MOUs. He explained that a meeting had been held and based on comments he had received, it went well.

Commissioners Mongold and Stroop both commented on the positive comments they had received regarding the meeting and the progress made.

No action taken.

**3) Consideration of Complaint Underage Juvenile – Rand VFD FDC FY20-022**

ASFM Scott updated the Commission on the complaint and the response provided by Rand VFD Chief White.

Marshal Tyree addressed the Commission inquiring if there is an understanding that someone who is in a fire fighter vocational class can be on a scene and that based on research by staff noted they had not found anything that states they can't ride on the fire apparatus.

A discussion ensued between Counsel and the Commission about what would be considered an inherently dangerous situation as junior fire fighter as they can't be put in harm's way and if non-certified adults can ride on apparatus. They agreed there is a need to clarify the issue and run a clean-up statute.

Commissioner Mongold made a motion to accept the response provided by Rand Fire Chief – Chief White, seconded by Commissioner George. With the ayes and nays having been taken on a voice vote the motion passed.

Counsel and Commission discussed the need for possible additional training so VFD Chief's are aware of what the regulations are regarding the issues of juveniles on fire scenes and the authority of the Commission on the rules and policies put in place by the Commission. A suggestion was made to check with EMS to see what verbiage they use

NEW BUSINESS:

Commissioner Gunnoe listed the departments being up for recertification.

**1) Consideration of Recertification of Fire Departments – Capon Valley, Benwood, Spruce River, Madison, Buffalo, Racine, Hurricane, Handley, and Chesapeake.**

Commissioner Mongold made a motion to recertify Capon Valley, Benwood, Spruce River, Madison, Buffalo, Racine, Hurricane, Handley, and Chesapeake. seconded by Commissioner Eastham. With the ayes and nays having been taken on a voice vote the motion passed.

**2) Consideration of Fire Officer 1 & 2 Applications – Richard Toler FO 1&2-Huntington, Robert Shepherd FO 1&2-Huntington, Jason Boggs FO 1&2-Huntington, Adam Woodward FO 2-Huntington, Phillip Bowen FO 2-Huntington, David Gaeger FO 1&2-Huntington, Justin Sanders FO 2-Huntington, Robert Culp IV FO 2-Huntington, Thomas Sims FO 1&2-Huntington, David Ellis FO 1&2-Milton VFD, Keith Atkinson FO 1&2-Cabin Creek VFD, Patrick Lively FO 1&2 Davis Creek VFD, John Eric Hasting FO 1-Charleston and Keith Witter FO 2-Charleston.**

Commissioner Mongold made a motion to approve Richard Toler FO 1&2-Huntington, Robert Shepherd FO 1&2-Huntington, Jason Boggs FO 1&2-Huntington, Adam Woodward FO 2-Huntington, Phillip Bowen FO 2-Huntington, David Gaeger FO 1&2-Huntington, Justin Sanders FO 2-Huntington, Robert Culp IV FO 2-Huntington, Thomas Sims FO 1&2-Huntington, David Ellis FO 1&2-Milton VFD, Keith Atkinson FO 1&2-Cabin Creek VFD, Patrick Lively FO 1&2 Davis Creek VFD, John Eric Hasting FO 1-Charleston and Keith Witter FO 2-Charleston, seconded by Commissioner White. With the ayes and nays having been taken on a voice vote the motion passed.

**3) Consideration of Parsons VFD Request to form SARS Team**

Marshal Tyree addressed the Commission and explained the request from Chief White of Parsons VFD. In the request was an inquiry if members of a Search and Recue Team only could be recognized as members of the department without certification as fire fighters.

Counsel and the Commission discussed the request and the lack of code that addresses the question at hand. It was noted that allowing something like this could help with recruitment and retention and suggested it could be looked at through the pilot programs.

Chief Wilkes of Hurricane VFD addressed the Commission asking if this subject was covered under §87CSR8 2.14. Marshal Tyree explained why the Commission wouldn't be able to utilize this standard for this request.

Commissioner Gunnoe tasked the Staff with doing further research regarding this request

No Action Taken

**4) Consideration of Posting Evaluations for Public Consumption Once Completed**

Commissioner Gunnoe addressed the Commission asking them to contemplate if they supported the posting of the evaluations and how that should be accomplished if they do agree.

No action taken.

**5) Selection of October 2020 Fire Commission Meeting Date**

The Commission chose October 9<sup>th</sup>, 2020 at 9:00 via conference call for the Commission Meeting and October 8<sup>th</sup> for Committee Meetings if any are held with the time TBA. They also requested the December Commission Meeting be held on December 4<sup>th</sup> in Morgantown if a location was available.

Staff will research the availability.

Recruitment and Retention:

No Comments

Speaker:

None

CORRESPONDENCE:

WVPST PSTachio

Dave Plume WVPST addressed the Commission explaining the login process and whom to contact if there are problems. He also noted that records of all 6 of the PST offices are now combined in one location.

GOOD OF THE ORDER:

TIME AND PLACE OF NEXT MEETING(S):

Committee Meetings needs will be determined for October 8<sup>th</sup>, 2020 and Fire Commission Meeting is set at 9:00am Friday October 9th, 2020 @ WV SFMO 1207 Quarrier Street, Charleston WV (Via Conference Call).

ADJOURN:

Commissioner Mongold made a motion to adjourn at 10:21, second by Commissioner George, with all the ayes and nays having been taken on a voice vote, the motion passed.

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