

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

June 7, 2019

The official business meeting was called to order at 9:00 a.m. by Vice Chairman Doug Mongold.

ROLL CALL: by Administrative Secretary Kathryn Burns

Commissioners Present

Edward George, Dave Camp, Doug Mongold, Phil Hart, Jim Oldaker, Mark Stroop, Carl Eastham, Martin Hess, Thomas Keefer and Virgil White. It is noted that Counsel Jennifer Wilson is present as well.

Commissioners Absent

Grant Gunnoe
Doug Estep
Ted Shriver

APPROVAL OF MINUTES:

1. Commissioner George made a motion to accept and approve the minutes of the April 25, 2019 Fire Commission Meeting, seconded by Commissioner Eastham. With all the ayes and nays having been taken on a voice vote, the motion passed.

COMMITTEE REPORTS:

• Legislative, Codes & Regulatory Committee

Commissioner Keefer read the Legislative, Codes & Regulatory Committee Report from Meeting – June 6, 2019 as follows:

June 6, 2019

Call to Order

Commissioner Keefer called to order the regular meeting of the Legislative, Codes and Regulatory Committee Meeting at 11:03 on June 6, 2019 at the WV Fire Marshal's Office, 1207 Quarrier Street, Charleston, WV.

Roll Call

Administrative Secretary Kathryn Burns conducted a roll call. The following commissioners were present:

Jim Oldaker
Tom Keefer
Mark Stroop

The following commissioners were absent: Edward George and Ted Shriver

Unfinished Business

None

New Business

1. Consideration of State Building Code
2. Consideration of the State Fire Code and Public Hearing Date
3. Consideration of Supervision of Fire Protection Workers- Statutory Language Change

Marshal Tyree stated we held stakeholders meeting for the Building Code, Fire Code and Fire Protection Workers rules. He explained the rules regarding filing periods and public comments. The Building Code had very few changes, but we do have to include the 2017 NEC or we would fall out of cycle. 2017 ICC/ANSI A117 version needs to be adopted. He then explained our proposals to the Fire Code and some of the exemptions. The Commission must set a timeline for the public hearing. He proposed possible dates in the week of July 11th. He recommends either July 9th, 10th or 11th. It can be held at the Charleston office. Commissioner Keefer asked if anyone has a preference? None were noted so he suggested we choose one of those dates and then modify it as needed.

Commissioner Oldaker made a motion to recommend the approval of the State Fire Code and Public Hearing Date (July 9th, 10th or 11th TBD) to the Full Fire Commission, seconded by Commissioner Stroop. With all the ayes and nays having been taken on a voice vote, the motion passed.

Marshal Tyree explained the change being proposed to the Supervision of Fire Protection Workers would cut the required hours in half for the Sprinkler Fitter Journeyman and noted that the stakeholders felt comfortable with the number. He explained why we must do the statute first and then the rule.

Marshal Tyree –brought to the attention of the Commission that Senate Bill 1012 had passed and gave a brief breakdown of the bill.

Adjournment

Commissioner Oldaker moved to adjourn the meeting at 11:20, second by Commissioner Stroop. With all the ayes and nays having been taken on a voice vote, the motion passed.

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

• Fire Department Services Committee

Commissioner Mongold read the Committee Report from Meeting – June 6, 2019 as follows:

Call to Order

Commissioner Mongold called to order the regular meeting of the Fire Department Services Committee at 10:03AM on June 6, 2019 at the WV Fire Marshal's Office, 1207 Quarrier Street, Charleston, WV.

Roll Call

Administrative Secretary conducted a roll call. The following commissioners were present:

Dave Camp
Doug Mongold
Jim Oldaker
Mark Stroop
Phil Hart

The following commissioners were absent:

Unfinished Business

None

New Business

1. Fire Officer I and II Applications

Assistant State Fire Marshal Bradley Scott presented the following applications for approval:

Andrew Doss FO 1 & 2

Commissioner Oldaker made a motion to approve these applications and present to the full Fire Commission, seconded by Commissioner Camp. With all the ayes and nays having been taken on a voice vote, the motion passed.

2. Fire Departments to be Recertified:

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

- West Union VFD
- Wallace VFD
- Green Valley VFD
- Ona VFD
- Salt Rock VFD
- Smoot VFD
- Wileyville VFD

Commissioner Stroop made a motion to approve these applications and recommendation to the full Fire Commission, seconded by Commissioner Camp. With all the ayes and nays having been taken on a voice vote, the motion passed.

3. Fire Departments with perfect evaluations to be recertified

Assistant State Fire Marshal Bradley Scott presented a list of departments for recertification that had perfect evaluations:

- Peterstown VFD
- Lindside VFD
- Alderson VFD
- Tri County VFD
- Quinwood VFD
- Rainelle VFD

Commissioner Oldaker made a motion to approve these applications and recommendation to the full Fire Commission, seconded by Commissioner Stroop. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Oldaker asked if there were any departments not running to which Assistant State Fire Marshal Scott responded no.

Commissioner Mongold wants up to keep up and running on the Driver Operator Policy to which Deputy Sharp noted is was completed. Commissioner Mongold also wants to make sure the word gets out and that drivers are a big issue in the fire service. Mark Lambert with WVU – FSE stated that a poll had been created for instructors and that they are going to send one out to the students as well.

Adjournment

Commissioner Camp moved to adjourn the meeting at 10:09AM, seconded by Commissioner Oldaker. 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 Camp. 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 – June 6, 2019 as follows:

Call to order

Commissioner Eastham called to order the regular meeting of the Disciplinary Committee Meeting at 11:21am on June 6, 2019 at the WV Fire Marshal's Office, 1207 Quarrier Street, Charleston, WV.

Roll call

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

Carl Eastham
Doug Mongold
Martin Hess

Absent: Edward George and Ted Shriver

Unfinished business

None

New business

1. Fire Departments Receiving 180 Days to Achieve Compliance:

The Union VFD (Monroe County) was evaluated on 05/01/19. Deficiencies were noted during the evaluation. The Fire Chief has requested 180 days to correct the deficiencies. It is staff's recommendation that the fire department be granted 180 days.

5 Members Need Level 1

5 Members Need Haz Mat

8 Members Need CPR/First Aid

1 Liet needs Fire Officer 1

Chief needs Level 2

Tanker 140 EVP

Note: Evaluated 5/2016 Requested 180 days Recertified 10/2016

Total Members 21

The Nettie VFD (Nicholas County) was evaluated on 05/02/19. Due to a complaint received. Deficiencies were noted during the evaluation. The Fire Chief has requested 180 days to correct the deficiencies. It is staff's recommendation that the fire department be granted 180 days.

19 Members need CPR/First Aid

Note: Evaluated 4/2014 Requested 180 days Recertified 4/2015

Total Members 20

The Ballard VFD (Monroe County) was evaluated on 05/06/19. Deficiencies were noted during the evaluation. The Fire Chief has requested 180 days to correct the deficiencies. It is staff's recommendation that the fire department be granted 180 days.

Captain needs Fire Officer 1

5 members need CPR/First Aid

2 members need Level 1 certificates

Note: Evaluated 11/2014 Requested 180 days Recertified 12/2014

Total Members 10

The Clintonville VFD (Greenbrier County) was evaluated on 05/20/19. Deficiencies were noted during the evaluation. The Fire Chief has requested 180 days to correct the deficiencies. It is staff's recommendation that the fire department be granted 180 days.

Asst. Chief need Fire Officer 2

1 Captain needs Fire Officer 1

2 Liet need Fire Officer 1

2 members need Haz Mat

3 Members need CPR/First Aid

2 Member needs Level 1

Note: Evaluated 01/2015 Requested 180 days Recertified 10/2015

Total Members 15

The Rupert VFD (Greenbrier County) was evaluated on 05/20/19. Deficiencies were noted during the evaluation. The Fire Chief has requested 180 days to correct the deficiencies. It is staff's recommendation that the fire department be granted 180 days.

1 member needs Firefighter 1

2 Members needs Haz Mat

4 Members needs CPR/First Aid

Note: Evaluated 08/2015 Requested 180 days Recertified 02/2016

Total Members 19

The Frankford VFD (Greenbrier County) was evaluated on 05/21/19. Deficiencies were noted during the evaluation. The Fire Chief has requested 180 days to correct the deficiencies. It is staff's recommendation that the fire department be granted 180 days.

Pump Test

1 member needs Level 1

4 members need CPR/First Aid

Note: Evaluated 03/2015 Requested 180 days Recertified 04/2015

Total Members 19

The Lewisburg VFD (Greenbrier County) was evaluated on 05/21/19. Deficiencies were noted during the evaluation. The Fire Chief has requested 180 days to correct the deficiencies. It is staff's recommendation that the fire department be granted 180 days.

Pump Test

Note: Evaluated 03/2015 Requested 180 days Recertified 04/2015

Total Members 33

The Renick VFD (Greenbrier County) was evaluated on 05/21/19. Deficiencies were noted during the evaluation. The Fire Chief has requested 180 days to correct the deficiencies. It is staff's recommendation that the fire department be granted 180 days.

Pump Test

Hose Test

10 member needs CPR/First Aid

1 member needs Level 1 & Haz Mat

Note: Evaluated 11/2014 Requested 180 days Recertified 04/2015 Total Members 11

Commissioner Hess made a motion to grant 180 day to achieve compliance with WV Fire Commission fire department evaluation standards to:

- Union VFD
- Nettie VFD
- Ballard VFD
- Clintonville VFD
- Rupert VFD
- Frankford VFD
- Lewisburg VFD
- Renick VFD

...and to recommend to the Full Commission, with a second by Commissioner Mongold. With all the ayes and nays having been taken on a voice vote, the motion passed.

2. Consideration of 120 Day Agreements:

- 60th Street, Vienna

Marshal Tyree spoke to the Commission explaining that the Fire Marshal's office had made 30-day notices to some warehouses. In part this was in response to concerns that arose following the Parkersburg IEI warehouse fire. Several inspections and follow ups were done on various warehouses. There were three that had initially did not comply, but one has since then and is not on this report. He then discussed the 60th Street Vienna location and the problems that they had. Issues such as removing wastes and electrical problems. They were not able to meet the compliance in 30 days due to restrictions on the amount of waste the landfill would accept daily. His proposal to the commission is that we would accept the appeal as they have been working to resolve it.

Commissioner Mongold made a motion to approve 120-day Agreement for 60th Street, Vienna and recommend to the full Fire Commission, seconded by Commissioner Hess. With all the ayes and nays having been taken on a voice vote, the motion passed.

- 3901 Camden Avenue, Parkersburg

Marshal Tyree then discussed the response from the 3901 Camden Avenue, Parkersburg warehouse location. Some of the comments we received didn't match up with the complaint and at this time we don't think they are going to be compliant and provide us with a clear plan of correction. He proposes we move ahead with closure. Commissioner Mongold asked if the facility is still in use. Marshal Tyree explained it was and some of the items in storage. A discussion was held by the Commission, it's counsel and Marshal Tyree about how to proceed with a Cease and Desist order.

Commissioner Mongold made a motion to allow the Fire Marshal to take the necessary action on 3901 Camden Avenue, Parkersburg, and recommend to the full Fire Commission seconded by Commissioner Hess. With all the ayes and nays having been taken on a voice vote, the motion passed.

Adjournment

Commissioner Mongold moved to adjourn the meeting at 11:41, seconded by Commissioner Hess. 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, seconded by Commissioner George. With all the ayes and nays having been taken on a voice vote, the motion passed.

• Recruitment and Retention Committee

Commissioner Martin Hess read the Committee Report from Meeting – June 6, 2019 as follows:

Call to order

Commissioner Hess called to order the regular meeting of the Recruitment and Retention Committee Meeting at 10:50 on June 6, 2019 at the WV Fire Marshal's Office, 1207 Quarrier Street, Charleston, WV.

Roll Call

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

Jim Oldaker
Phil Hart

Absent: Doug Estep

Unfinished Business

None

New Business

A discussion was held about possible recruitment and retention ideas. Commissioner Hart had spoken with Ralph McNemar of WVU-FSE about Guyan River which has 16 junior members and thought perhaps they had some ideas that could be used. Mr. McNemar explained some the things they are doing. Commissioner Hess talked about how many they have had go through the Junior Camp. Commissioner Mongold would like to see the recruitment committee reach out to Maryland or Delaware and see who oversees their recruitment as they have outstanding programs. Commissioner Hess has been trading emails with them and they are trying to put something together to bring to the Commission. Three of the states that border us have great programs and he has been contacting them for ideas as well. Commissioner Mongold noted it is not only about keeping the young in, but we need all ages of volunteers. Marshal Tyree spoke of Connecticut's recruitment video. Commissioner Hess discussed how Flatwoods is making it work and they are working with them too. He also stated that Gilmer County is trying a First Responder's Day and explained what they are planning on doing in order to get people interested. Commissioner Mongold discussed some of the things that are out there free. Mr. McNemar discussed how a \$600.00-dollar tax credit for Volunteers is still being pursued.

Adjournment

Commissioner Hart moved to adjourn the meeting at 10:59. It was seconded by Commissioner Oldaker. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Hart made a motion to accept the report. It was seconded by Commissioner White. 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 – June 6, 2019 as follows:

Call to order

Commissioner White called to order the regular meeting of the Training Committee Meeting at 10:13AM on June 6, 2019 at the WV Fire Marshal's Office, 1207 Quarrier Street, Charleston, WV.

Roll Call

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

Virgil White
Tom Keefer
Jim Oldaker

The following commissioners were absent: Doug Estep and Edward George

Unfinished Business

1. Consideration of Fire Officer Training Review for Volunteer Fire Departments.

Commissioner Oldaker stated we have not been able to get a stake holder meeting set and he will make a point to do so before the next meeting.

New Business

1. Staff/Counsel

Senate Bill 625 - Marshal Tyree informed the Commissioners that they will find the report on their tablets. He doesn't believe the legislature realizes we already had a reciprocal program, so he put together a short report describing our commitment and asked the committee to look it over and bring any necessary corrections to his attention. Prior to 2011 WVU took care of it and then afterwards it was taken over by the Commission. The report basically summarized the program and made them aware of our program. Marshal Tyree wanted to share this the commission and note any necessary edits that need to be made.

2. WVU Fire Service Extension

Mark Lambert with WVU-FSE stated that the Junior Firefighter Camp will be June 15-20, 2019. Mr. Lambert urges all the commissioners to come by and he will help them to acquire the necessary permissions. He also noted they are about ready to put out a poll about the Modular Instructors and they want to get the students input as well. Ralph McNemar with WVU FSE had attended a conference and the NFPA has realized that vendors have too much input and are cutting back on those numbers.

3. John Bird WV Division of Forestry Speaker

Mr. Bird – Thank you for the opportunity. They have a training course FI-110 (Wildland Fire Operation and Origin Scene Protection for First Responders) they would like to get the Commission's approval on. He presented the course and handed out copies to the

Commissioners. He wanted everyone to have the basic understanding of the amount of wildland fires we have, and he handed out a demographic sheet that explained it. He disseminated and explained the information for the Commissioners. He discussed an example that he uses that caught a fire from the time it was set to the time it was extinguished and the crime scene preserved. He explained how it was key to train our volunteer fireman on these fires. He would like for the volunteer fireman be recognized for their training by the Commission. Mr. Bird discussed causes of wildland fires and some of the misconceptions. His proposal would be for the Commission to allow volunteers to go to training as they like. He asked the Commission to go through the proposal he had presented and if they had any questions.

Commissioner Hess commented that this is good training and he explained how some of his personal had gone through it and how it has helped.

Commissioner Mongold asked what are the hours the training takes, and Mr. Bird stated he can get it in one evening, 2 hours depending upon the area.

Marshal Tyree asked Mr. Bird if he wanted the Fire Commission to approve the training so they could issue certificates or just their endorsement?

Mr. Bird replied he doesn't know the process but does not want to make it mandatory and would take the Commission's recommendation. It is quick training. What would benefit the guys more, a certificate or credits?

Marshal Tyree stated they don't have any CEUs so it couldn't be required.

Deputy Jason Baltic stated based on the investigators in his department have done he thinks it would be best to put it on the list and maybe make it 4 credit hours. It is a good class. When it comes to a woodland fire the investigation is different. In fact, it is almost opposite as his department's normal investigation.

Commissioner White stated that would be something we would have to get approved.

Commissioner Keefer inquired about who would issue the certificates to which Robert Bailey from WVPST – Beckley stated that for the ones already on the list would be up to the Commission to issue them.

A discussion ensued about how to proceed and the necessity of a vote.

Commissioner Keefer made a motion that we adopt the WV Forestry Division Course FI-110 as delivered by Mr. Bird, and recommend to the Full Fire Commission, seconded by Commissioner Oldaker. With all the ayes and nays having been taken on a voice vote, the motion passed.

PST Coordinator Robbie Bailey addressed the Commission noting they are closing out the physical year in June. Everything is moving along. Business as usual for the PST

5. Misc. Comments / Questions

None

Adjournment

Commissioner Keefer moved to adjourn the meeting at 10:45AM, seconded by Commissioner Oldaker. 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 Hess. 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 and Temporary Deputy State Fire Marshal John Oliver 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 April 1, 2019 through May 31, 2019:

| | APR | MAY | TWO MONTH TOTAL |
|--|-------|-------|-----------------|
| Total Licenses Issued: | 6,392 | 3,774 | 10,166 |
| Total Certifications Issued: | 40 | 24 | 64 |
| Total Permits Issued: | 67 | 226 | 293 |
| Total Applications Processed: | 281 | 291 | 572 |
| Online Renewals: | 1,343 | 980 | 2,323 |
| Total Consumer Fireworks Certificates Issued | | | |
| Permanent: | 3 | 41 | 44 |
| Temporary: | 73 | 80 | 153 |

| | | | |
|------------------|----|----|-----|
| Wholesaler: | 0 | 8 | 8 |
| Outdoor Storage: | 76 | 78 | 154 |
| Novelties: | 7 | 10 | 17 |

Deputy State Fire Marshal Casto shared his report on the Fire Service Division for the period of January 1, 2019 through May 31, 2019:

Total Licenses Issued: 11,187

Total Certifications Issued: 163

Total Applications Processed: 1,374

Total Permits Issued: 438

Online Renewals: 2,525

Total Consumer Fireworks Certificates Issued

Permanent: 50

Temporary: 159

Wholesaler: 17

Outdoor Storage: 166

Novelties: 706

| FIRE DEPARTMENT SERVICES | | | | | | |
|----------------------------------|----------|----------|-------|-------------|--------|--------|
| RECENT ACTIVITY | | | | | | |
| 2019 | | | | | | |
| | APR 2019 | MAY 2019 | TOTAL | 2019 YTD | FY2019 | FY2018 |
| FIRE DEPT EVALUATIONS | 4 | 14 | 18 | 44 | 90 | 72 |
| DEPTS RECERTIFIED | 22 | 0 | 22 | 34 | 83 | 67 |
| DISCIPLINARY | 12 | 0 | 12 | 19 | 53 | 44 |
| 180 DAYS | 5 | 0 | 5 | 15 | 39 | 48 |
| EMERGENCY VEHICLE PERMITS | | | | | | |
| TOTAL PROCESSED | 74 | 29 | 103 | 249 | 480 | 582 |
| APPARATUS | 31 | 7 | 38 | 72 | 124 | 193 |
| PRIVATE | 43 | 22 | 65 | 177 | 356 | 389 |
| DEACTIVATED | 110 | 90 | 200 | 372 | 652 | 619 |
| APPARATUS | 41 | 22 | 63 | 96 | 146 | 154 |
| PRIVATE | 69 | 68 | 137 | 276 | 506 | 465 |
| VERIFIED AND REFUSED | 30 | 16 | 46 | 89 | 141 | 111 |
| APPARATUS | 6 | 1 | 7 | 13 | 31 | 32 |

| | | | | | | |
|--|-------|-------|-------|--------|---------|---------|
| PRIVATE | 24 | 15 | 39 | 76 | 110 | 79 |
| | | | | | | |
| NFIRS | APR | MAY | | | | |
| TOTAL REPORTS SUBMITTED | 5,667 | 2,962 | 8,629 | 36,595 | 102,423 | 126,451 |
| 90 DAY GRACE | 51 | 0 | 51 | 116 | 231 | 250 |
| OUT OF GRACE | 42 | 3 | 45 | 100 | 213 | 235 |
| *FUNDING LOSS | 3 | 0 | 3 | 3 | 5 | 15 |
| NFIRS CLASSES TAUGHT | 0 | 1 | 1 | 1 | 3 | 0 |
| COUNTIES REPRESENTED IN NFIRS | 0 | 2 | 2 | 2 | 4 | 0 |
| NUMBER OF NFIRS STUDENTS | 0 | 3 | 3 | 3 | 7 | 0 |
| | | | | | | |
| FIRE OFFICERS | APR | MAY | | | | |
| TOTAL SUBMITTED | 0 | 2 | 2 | 11 | 38 | 27 |
| FIRE OFFICER 1 | 0 | 1 | 1 | 7 | 17 | 12 |
| FIRE OFFICER 2 | 0 | 1 | 1 | 4 | 21 | 15 |
| | | | | | | |
| | | | | | | |
| FOIA REQUESTS | | | | | | |
| REQUESTS RECEIVED | 12 | 14 | 26 | 72 | 143 | 170 |
| REPORTS PROCESSED | 28 | 13 | 41 | 155 | 320 | 311 |
| REPORTS RESEARCHED | 34 | 13 | 47 | 237 | 480 | 1,546 |
| | | | | | | |
| FUNDING LOSS | | | | | | |
| Blacksville VFD 31101, Monongalia | | | | | | |
| Mud River VFD 22107, Lincoln | | | | | | |
| Town of Man VFD 23105, Logan | | | | | | |

Questions:

Commissioner Mongold inquired if the numbers for the Consumer Fireworks are on the normal side?

Deputy Casto replied it is mid-season, so it is a little premature to make that determination. He did note that there may be less due to people realizing the cost of doing business.

Commissioner Mongold requested that the Commission be kept up to date.

Commissioner Casto replied any differences from previous years should be able to be noted by August meeting.

Deputy State Fire Marshal Baltic's report on the Investigation Division for the period of April 1, 2019 through May 31, 2019:

Total Number of Fires 01APR19 to 31MAY19 – 105

Accidental – 15

Incendiary – 20

Undetermined – 64

Fatality Total 01APR19 to 31MAY19 – 9
Injury Total 01APR19 to 31MAY19 – 4

Total \$ loss 01APR19 to 31MAY19 - \$6,840,955
Educational - \$1,000
Mercantile - \$392,000
Other Structures - \$1,000
Outside / Special Properties - \$500
Residential - \$5,739,955
Storage - \$143,000
Vehicles - \$63,000

Total \$ loss 01APR19 to 31MAY19 that are declared Incendiary - \$6,840,955

Total number of fires cleared by arrest or exceptional means – 10

Deputy State Fire Marshal Baltic's report on the Investigation Division for the period of January 1, 2019 through May, 2019:

Total Number of Fires 01JAN19 to 31MAY19 – 149
Accidental – 38
Incendiary – 50
Undetermined – 160

Fatality Total 01JAN19 to 31MAY19 – 25
Injury Total 01JAN19 to 31MAY19 – 7

Total \$ loss 01JAN19 to 31MAY19 - \$12,890,543
Educational - \$1,000
Mercantile - \$392,000
Other Structures - \$1,000
Outside / Special Properties - \$10,501
Residential - \$10,713,192
Storage - \$325,350
Vehicles - \$87,000

Total \$ loss 01JAN19 to 31MAY19 that are declared Incendiary - \$12,890,543

Total number of fires cleared by arrest or exceptional means – 23

Questions:

Commissioner Eastham queried why the counties are showing twice in the report provided to the Commission.

Deputy Baltic explained there is a problem in the BATS system (Bomb and Arson Tracking System) that is duplicating the counties. He explained that our office was correcting the numbers for our records.

Commissioner George inquired about the number of fatalities.

Deputy Baltic explained that the State is at 25 for the Calendar year and 41 for the fiscal which is down from previous years.

Commissioner George inquired of Deputy Baltic if he had an opinion as to why they had decreased.

Deputy Baltic believes the Smoke Detector initiative has played a roll in those decrease and that hopefully the numbers will continue to decrease.

Temporary Deputy State Fire Marshal John Oliver shared his report on the Inspection and Plans Review Division for the period of April 1, 2019 through May 31, 2019:

INSPECTIONS CONDUCTED: 1,254

| INITIAL | ANNUAL | FOLLOW-UP | CONSTRUCTION | FINAL | SYSTEM | FIREWORKS |
|----------------|---------------|------------------|---------------------|--------------|---------------|------------------|
| 36 | 774 | 35 | 272 | 75 | 48 | 11 |
| AGST | | | | | | |
| 3 | | | | | | |

PLANS REVIEWED: 375 (Does not include walk-in consultations with architects and designers)

OCCUPANCY PERMITS: 36

COMPLAINT INVESTIGATIONS: 19

| FIRE CODE | ELECTRICAL | BLASTING | FIREWORKS | EXPLOSIVE MAGAZINE |
|------------------|-------------------|-----------------|------------------|---------------------------|
| 20 | 6 | 2 | 1 | 1 |

LICENSE CHECKS: 261

| ELECTRICAL | LOW VOLTAGE | FIRE PROTECTION | PYRO |
|-------------------|--------------------|------------------------|-------------|
| 287 | 14 | 74 | 5 |

| WARNINGS | CITATIONS | CRIMINAL COMPLAINTS | EXECUTE ARREST WARRANTS |
|-----------------|------------------|----------------------------|--------------------------------|
| 4 | 2 | 6 | 4 |

LICENSE EXAMS: 14

TRAINING RECEIVED:

1 marshal attended a two-day crowd management class at KCAA
3 marshals attended the National Fire Academy
Several Marshals attended the EVOC class from Charleston PD
Several Marshals attended the Defensive tactic and Hand cuffing classes from the Charleston PD
Several Marshals and Plans Examiners attended a class on Fire Stopping
Several marshals and Plans Examiners attended a class on NFPA 70 Electrical Code Update

Training Given:

Conducted a fire extinguisher training for National Roof Coaters

COURT HEARINGS:

Raleigh County – one person plead to guilty on 4 charges and fined \$1,000.00
Kanawha County

Other Activity:

13 - Assisted the Investigation Division
2 – Assisted the Investigation Division on arrest in Mingo and Kanawha Counties
13 – Assisted local fire departments.
5 – Assisted local Police, Sheriff's Dept or WV State Police with MVA's
6 – Assisted local Fire Inspectors
5 – Assisted local Building Inspectors
Assisted the WV State Police and ATF on disposal of old dynamite
3 Marshals received recognition at the Capitol for special assignment at the Calhoun County Courthouse
Assisted with Haz Mat drill at Southern Regional Jail
Reinspection of warehouses in Wood and Jackson Counties
Served Closure orders on warehouses in Wood and Jackson Counties
2 Marshals assisted Summers County Schools at a vigil for a child that died in a house fire
1 person attended the funeral for a retired State Fire Marshal in Webster County.

Temporary Deputy State Fire Marshal John Oliver shared his report on the Inspection and Plans Review Division for the period of January 1, 2019 through May 31, 2019:

3,325 Inspections Conducted

822 Plans Reviewed (Does not count walk-in consultations with architects and designers)

86 Occupancy Permits Issued

948 Licenses Checked

Complaint Investigations:

Investigated thirty-four (34) fire code complaints
Investigated eleven (11) electrical complaints
Investigated eight (8) blasting complaints resulting in three (3) citations
Investigated six (6) licensing complaint resulting in four (4) citations

Training:

Two personnel taught a two-day class at the West Virginia Code Officials meeting in Flatwoods
Two personnel attended a one-day class on ethanol hazards
Two personnel attended a four-day class on Interviewing and Interrogation
Three personnel attended the National Fire Academy
One personnel attended a two-day crowd management class
Several personnel attended the EVOC class from Charleston PD
Several personnel attended the Defensive tactic and Hand cuffing classes from the Charleston PD
Several personnel and Plans Examiners attended a class on Fire Stopping
Several personnel and Plans Examiners attended a class on NFPA 70 Electrical Code Update
Conducted a fire extinguisher training for National Roof Coaters

Court Hearings:

Cabell County – One (1) conviction for performing electrical work without a license
Greenbrier County – One (1) conviction for fire code violations

Braxton County – Fire Code violations – Case continued
Raleigh County – one person plead to guilty on 4 charges and fined \$1,000.00
Kanawha County – Case continued

Issued:

Four (4) Warnings
Two (2) Citations
Six (6) Criminal Complaints
Four (4) Arrest Warrants

Administered nineteen (19) licensing tests

Assisted Investigation Division with a fire fatality in Kanawha County
Assisted Fire Department Services with evaluations in Berkeley, Mason and Ritchie Counties
Four personnel served as judges in the annual state VICA skills competition
Assisted ABCC and Berkeley County Sheriff's Office with nightclub inspection
Investigated accidental fire at South Central Regional Jail
Illegal sales of fireworks in Kanawha County resulting in citation and confiscation – pled guilty
Calhoun County Courthouse detail for murder trial
Attended Franklin Fire Department and Maysville Fire Department banquets
Court convictions in Fayette, Morgan and Raleigh Counties for fire code violations
Conducted exit checks at various basketball games
13 - Assisted the Investigation Division
2 – Assisted the Investigation Division on arrest in Mingo and Kanawha Counties
13 – Assisted local fire departments.
5 – Assisted local Police, Sheriff's Dept or WV State Police with MVA's
6 – Assisted local Fire Inspectors
5 – Assisted local Building Inspectors
Assisted the WV State Police and ATF on disposal of old dynamite
3 Marshals received recognition at the Capitol for special assignment at the Calhoun County Courthouse
Assisted with Haz Mat drill at Southern Regional Jail
Reinspection of warehouses in Wood and Jackson Counties
Served Closure orders on warehouses in Wood and Jackson Counties
2 Marshals assisted Summers County Schools at a vigil for a child that died in a house fire
1 person attended the funeral for a retired State Fire Marshal in Webster County.

Questions - None

Courtney Rosemond gave a report on the Public Education efforts for the period of April 1, 2019 through May 31, 2019:

Public Education Accomplishments

APRIL TO JUNE 2019

Media Releases – 3

- W.Va. State Fire Marshals arrest Kanawha Co. woman on arson charges
- Arson Awareness Week: Preventing Arson at Construction Sites
- W.Va. State Fire Marshals investigate intentionally set fatal fire

Social Media interactions – 231 new Facebook subscribers since April 31st, weekly safety messages and news updates are disseminated through Facebook and Twitter.

Top engagement post: Joe Leake Retirement Announcement

31,057 people reached

1,765 post clicks

Public Education Network – 3 new members since Feb, 123 total members since April 2016.

Public interactions completed – 9

- Sound the Alarm Campaign (Multiple locations: Princeton, Montcalm, Walton, St. Albans)
- Senior Advisory Committee
- WV APCO Telecommunicator Conference
- Veterans Resource Fair
- Paint Creek Watershed Take a Kid Fishing Day
- Saint Albans Safety Resource Event

Ongoing Projects:

Sound the Alarm Partnership: This spring the American Red Cross West Virginia Region had a goal of installing 2,000 smoke alarms during their national Campaign, *Sound the Alarm*. During the April 27-May 12th event, a total of 2,500 smoke alarms were installed in 900 homes. The campaign had fire departments from all over the state participate in the installations, the Public Education Division was able to participate in two of the press conference rallies and four smoke alarm installation events in Princeton, Montcalm, Walton and St. Albans.

History Project: 110th anniversary of the founding of the WV Fire Marshal's Office will be celebrated in 2019 and as a part of this celebration, research is being done to include photos and bios of Fire Marshals' past. An anniversary edition booklet of the WV SFMO will be made available along with other commemorative items. To celebrate the anniversary, we are collecting interviews from former employees and retired Marshals and Deputies. The video will be available for viewing at the open house and 110th Anniversary celebration. We look forward to the July 15th celebration.

Safety Summit: The West Virginia State Fire Marshal's office held the 3rd Annual WV Fire Safety Summit Dinner sponsored in partnership with the National Fire Protection Association. The 2019 Summit was held on Thursday, May 9th, topics covered were, "Creating a Public Education Experience", "Motivating your Audience for Behavior Change," The purpose of this summit is to bring together all stakeholders who have an interest in who have an interest in reducing risk and protecting life in their communities. There were 40 people in total in attendance at this year's dinner.

During the dinner an awards ceremony took place naming, Andrew Dotson, of Morgantown Fire Department, Fire and Life Safety Educator of the Year. Multiple fire departments from across the state were also recognized for their dedication to the Home Fire Campaign with the American Red Cross and the smoke alarm installations they have done in their communities. The following departments were recognized, St. Albans Fire Department, Princeton Fire Department, Lewisburg Fire Department, Hillsboro Volunteer Fire Department. Logan County 200 Volunteer Fire Department. Beverly Volunteer Fire Department and Parson Volunteer Fire Department were recognized but not present.

Operations Report by State Fire Marshal Tyree:

Mr. Chairman, members of the Commission:

- **Personnel Staffing:**
 - **New Employee:** Intern Michael “Blake” Bennett; Kasey Slack, Services
 - **Promotions/Reallocations:**
 - Upgrade of Pay Grade Classifications for Plans Examiner and P.E. Supervisor positions; special pay plan implementation eff 6-22-19
 - Resignation/Termination/Retirement:

- We have **7 vacancies** within the agency (**Transfer of two positions to DAS (DMAPS):** one, Administrative Svcs Mgr 1 and one Office Asst 3: , three ASFM in Training and Field Deputy for Inspections and one Investigations, one Public Information Specialists de-activated currently; one, Admin Services Asst 1; Services Division.

- **Legislative Bills update:**

- **87CSR1 Fire Code and 87CSR4 Building Code**

- **Also removed the required report having to be done based on SB 625 pertaining to VFD oversight by Counties**
 - Still required to report on **Reciprocity program (Info gathered by Deputy Casto)**

- **We’ll be working on some language for next year’s session:** Codification of Salaries into Statute and requiring all future hires to attend 16-week basic L.E. course @ WVSP Academy

- **Also:** Stakeholders Meetings for FPW Rule 103-4; 87-1 and 87-4

- **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 that.) 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.

Complaint Process:

§87-5-28. Disposition of Complaints. Home Inspectors

28.1. Any person, firm, corporation, member of the Fire Commission, State Fire Marshal, or public officer may make a complaint to the State Fire Marshal which charges a certified home inspector with a violation of W. Va. Code §29-3-5b(d) or of this rule. The State Fire Marshal may provide a form for that purpose, but a complaint may be filed in any written form. In addition to describing the alleged violation which prompted the complaint, the complaint should contain the following:

28.1.a. The name and address of the certified home inspector against whom the complaint is lodged;

28.1.b. The date of inspection;

28.1.c. The name of any person who may have inspected or repaired the home after the alleged incident;

28.1.d. The nature of the alleged violation;

28.1.e. The location of the alleged violation.

28.2. A complaint against a certified home inspector shall allege that such person is, in his or her professional capacity, engaging in conduct, practices or acts constituting professional negligence or a willful departure from accepted standards of professional conduct in violation of W. Va. Code §29-3-5b(d) or this rule.

28.3. Complainants are immune from liability for the allegations contained in their complaints filed with the State Fire Marshal unless the complaint is filed in bad faith or for a malicious purpose.

28.4. The State Fire Marshal shall maintain a complaint log which records the receipt of each complaint, its nature and its disposition.

28.5. The State Fire Marshal shall maintain a separate file on each complaint received, and each file shall have a number assigned to it.

28.6. Upon receipt of a complaint, the State Fire Marshal shall issue one of the following acknowledgments to the complainant:

28.6.a. That the matter will be reviewed by the State Fire Marshal;

28.6.b. That the complaint is outside the jurisdiction of the Fire Commission and State Fire Marshal, with suggestions as to how the complainant might best obtain a resolution of his or her problem; or,

28.6.c. That more information will be required in order to adequately review the individual complaint.

28.7. If the State Fire Marshal acknowledges the complaint under subsection 28.6.1, or 28.6.3, the State Fire Marshal shall send a copy of the complaint, including any supporting documentation, by certified mail to the certified home inspector or applicant in question for his or her written comment, and he or she shall submit a written response to the State Fire Marshal within thirty (30) days of the date of such correspondence, or waive the right to do so.

28.8. Requests for comment on complaints sent to certified home inspectors or applicants shall be considered properly served when sent to the last address on file with the State Fire Marshal. It is the

responsibility of the certified home inspector or applicants to keep the State Fire Marshal informed of his or her current address.

28.9. Upon receipt of a certified home inspector's or applicant's comments in response to a complaint, the State Fire Marshal shall promptly send a copy of the same, including any supporting documentation, to the complainant.

28.10. After receipt and review of a complaint, unless the complaint is determined to fall within the provisions of subdivision (outside of the jurisdiction) of this rule, the State Fire Marshal shall cause to be conducted any reasonable inquiry or investigation he or she considers necessary to determine the truth and the validity of the allegations set forth in the complaint. The review of complaints and any view or investigation thereof may, at the discretion of the State Fire Marshal, be assigned to a designee, being who shall be a full-time employee of the State Fire Marshal, or to an ethics investigator, for review and investigation.

28.12. Upon receipt of a complaint the designee or ethics investigator shall, within sixty (60) days, review and investigate the same and provide the State Fire Marshal with a report. The report shall contain a statement of the allegations, a statement of facts, and an analysis of the complaint including a description of the inspection, the records reviewed, and interviews conducted, and a statement of the designee's or ethics investigator's findings and recommendations. The State Fire Marshal, the designee or ethics investigator shall, upon request of the State Fire Marshal, his designee or ethics investigator, be afforded an opportunity to have investigation interviews with the certified home inspector or applicant in question or any other involved parties, a report of which shall be placed in the investigation file.

28.13. To facilitate the disposition of a complaint, the State Fire Marshal, his designee, or ethics investigator, may request any person to attend an informal conference at any time prior to the State Fire Marshal entering any order with respect to the complaint. The State Fire Marshal, his designee or ethics investigator, shall give notice of the conference, which notice shall include a statement of issues to be informally discussed. Statements made at a conference may not be introduced at any subsequent hearing on the merits without the consent of all parties to the hearing. No prejudice shall attach for failure to attend a conference pursuant to a request.

28.14. The State Fire Marshal may issue subpoenas and subpoenas duces tecum to complete the State Fire Marshal's investigation and to determine the truth or validity of complaints. A designee, or ethics investigator may request that the State Fire Marshal issue subpoenas or subpoenas duces tecum. Any such request shall be accompanied by a brief statement specifying the necessity for the same.

28.15. At any point in the course of an investigation or inquiry into a complaint, the State Fire Marshal may decide that he or she recommend to the Fire Commission that there is not and will not be sufficient evidence to warrant further proceedings, or that the complaint fails to allege misconduct for which a certified home inspector may be sanctioned by the Fire Commission: Provided, that the State Fire Marshal, his designee, or an ethics investigator shall make their respective findings and recommendations to the Fire Commission in writing prior to the Fire Commission dismissing the complaint.

28.16. At any point in the course of an investigation or inquiry, the State Fire Marshal may recommend to the Fire Commission that there is sufficient evidence to warrant a finding of probable cause that a violation has occurred, The State Fire Marshal, his designee, or an ethics investigator shall make their respective findings and recommendations to the Fire Commission in writing to the Fire Commission, and the Fire Commission shall make a determination whether or not probable cause is found to limit or restrict a license, suspend a license or revoke any license issued by the Fire Commission. If the Fire

Commission finds probable cause that a violation may have occurred, a Complaint and Notice of Hearing shall be issued by the Fire Commission as more fully set forth in this section of this rule.

§87-7-9. Complaints; Determination of Probable Cause. BCO and BCI

9.1. The State Fire Marshal, or his or her designee, shall be empowered with the authority of investigating and administratively handling any complaint filed alleging a violation of sections 7 and/or 8 of this rule.

9.2. Any person, firm, corporation, member of the State Fire Commission, State Fire Marshal, or public officer, upon observing an infraction of the requirements of Section 7 or 8 of this rule may file a written complaint with the office of the State Fire Marshal. The State Fire Marshal may provide a form for this purpose, but a complaint may be filed in any written form.

9.3. To the extent possible, the complaint should describe the alleged violation which prompted the complaint, including any of the following information:

9.3.a. The name and address of the certified individual or applicant against whom the complaint is lodged;

9.3.b. The date of the alleged unlawful act;

9.3.c. The nature of the alleged unlawful act; and

9.3.d. The location of the alleged unlawful act.

9.4. The State Fire Marshal shall maintain a separate file for each complaint received, and each file shall have a number assigned to it. The individual that is the subject of the Complaint shall be deemed and hereinafter referred to as the "Respondent".

9.5. The State Fire Marshal shall maintain a complaint log which records the receipt of each complaint, its nature and its disposition.

9.6. Upon receipt of a complaint, the State Fire Marshal shall issue one of the following acknowledgments to the complainant:

9.6.a. That the matter will be reviewed by the State Fire Marshal;

9.6.b. That the complaint is outside the jurisdiction of the State Fire Commission and State Fire Marshal, with suggestions, if any such exist, as to how the complainant might best obtain a resolution of his or her problem; or,

9.6.c. That more information will be required in order to adequately review the individual complaint.

9.7. If the State Fire Marshal acknowledges the complaint under subsection 9.6.a, or 9.6.c, the State Fire Marshal shall send a copy of the complaint, including any supporting documentation, by certified mail to the Respondent for his or her written comment. If the acknowledgement falls under 9.6.b, the State Fire Marshal may, in his/her discretion, notify the Respondent with a copy of the complaint and inform the Respondent that the complaint is being dismissed for lack of jurisdiction and no further action is necessary by the Respondent.

9.8. If the matter is being further reviewed or investigated pursuant to subsection 9.6.a, or 9.6.c, the State Fire Marshal shall afford the Respondent an opportunity to submit a written response to the State Fire Marshal within thirty (30) days of the date of such correspondence or waive the right to do so.

9.8.a. A copy of the complaint sent to the certificate holders or applicants shall be considered properly served when sent to their last known address. It is the responsibility of the certificate holder or applicant to keep the State Fire Marshal informed of his or her current address.

9.9. After acknowledgement of a complaint under subdivision 9.6.a or 9.6.c, the State Fire Marshal shall cause to be conducted any reasonable inquiry or investigation he or she considers necessary to determine the truth and the validity of the allegations set forth in the complaint. At his or her discretion, the State Fire Marshal may assign a designee to inquire or investigate the complaint.

9.9.a. If a complaint is assigned to a designee, the designee shall timely review and investigate the complaint. Upon completion of the inquiry/investigation, the designee shall provide the State Fire Marshal with a written report. The report shall contain a statement of the allegations, a statement of facts, and an analysis of the complaint including a description of the inspection, the records reviewed, and interviews conducted, and a statement of the designee's findings and recommendations.

9.9.b. During the course of the inquiry/investigation, the designee shall provide an update to the State Fire Marshal at least every sixty days (60) about the status and anticipated duration of the investigation. The State Fire Marshal may direct or cease certain activities of the designee in order to facilitate a timely resolution of the inquiry/investigation.

9.10. The State Fire Marshal, or designee, may issue subpoenas and subpoenas *duces tecum* to complete the State Fire Marshal's investigation and to determine the truth or validity of complaints.

9.11. As part of any inquiry or investigation, the Respondent shall be afforded an opportunity to have an investigative interview which, at the discretion of the State Fire Marshal (or designee), may be recorded and transcribed by a court reporter. A copy of such recording or transcription shall be placed in the investigation file.

9.12. Notwithstanding subdivision 9.11, to facilitate the disposition of a complaint, the State Fire Marshal, or designee, may request any person to attend an informal conference at any time prior to the State Fire Marshal entering any order with respect to the complaint. The State Fire Marshal, or the designee, shall give notice of the conference, which shall include a statement of issues to be informally discussed. Statements made at a conference may not be introduced at any subsequent hearing on the merits without the consent of all parties to the hearing. No prejudice shall attach for failure to attend a conference pursuant to a request.

9.13. Upon completion of the inquiry/investigation by the State Fire Marshal (or designee), the State Fire Marshal shall make a recommendation to the State Fire Commission as to the disposition of the complaint. The State Fire Marshal, or designee, shall make his or her respective written findings and recommendations known to the State Fire Commission, and the State Fire Commission shall make a determination whether or not probable cause is found to limit or restrict a certification, suspend a certification or revoke any certification issued by the State Fire Commission.

9.13.a. At any point in the course of an investigation or inquiry into a complaint, the State Fire Marshal may decide to recommend to the State Fire Commission that there is not and will not be sufficient evidence to warrant further proceedings, or that the complaint fails to allege misconduct for which a certified individual or applicant may be sanctioned by the State Fire Commission: *Provided*, that the State

Fire Marshal or designee shall make their respective findings and recommendations to the State Fire Commission in writing prior to the State Fire Commission dismissing the complaint.

9.13.b. At any point in the course of an investigation or inquiry, the State Fire Marshal may recommend to the State Fire Commission that there is sufficient evidence to warrant a finding of probable cause that a violation has occurred.

9.14. If the State Fire Commission finds probable cause that a violation may have occurred, a Formal Complaint setting forth a statement of violations, along with a Notice of Hearing, shall be issued by the State Fire Commission. The administrative procedures governing the Complaint and Hearing are more fully set forth in Series 9 of Title 87 (W.Va. C.S.R. § 87-9-1 *et seq.*)

- **Complaint Process Questions:**

Commissioner Mongold stated one of the Commission's concerns was that not enough information was being provided as to why we didn't have jurisdiction if that was the case.

Marshal Tyree responded that going forward we have addressed that and will ensure that it always occurs and that we will suggest other possible avenues. He noted that responses have been made to the two recent complaints.

Commissioner Eastham asked if a Commissioner should hear that a Inspector is operating in the wrong matter should they report it?

Marshal Tyree responded yes.

Commissioner George –state that he believes not only should we report it but there is an obligation to report it.

- **Visits and Meetings**

Marshal Tyree informed the Commission that he will be reporting at the August meetings about the training.

- **Commendations:**

None

- **Entertain questions!**

Commissioner Oldaker noted that it was good news that the fire deaths are down.

Marshal Tyree responded that hopefully the numbers will continue to go down and get to a point that it is as low as the national average.

Commissioner Mongold asked if you look at the fire deaths as a whole, are the deaths regionally spaced out.

Marshal Tyree responded typically no. It is higher in the concentrated areas, but topography also play into it.

Commissioner George questioned whether there has been a correlation between the drug problems and fire deaths.

Marshal Tyree replied that it not been studied but most of our deaths are in the older and younger population.

Deputy Jason Baltic – explained to the Commissioners that there are not that many drug lab related fires. That is the perception but not the reality.

Mark Lambert of WVU-FSE noted that there is a huge socially economic impact on fires.

Marshal Tyree agreed but he added that the state is in a plight of socially economic issues.

There were no additional questions or comments.

UNFINISHED BUSINESS:

1. Consideration of Completion Rates of Modular Training Classes Report

Assistant Fire Marshal Bradley Scott reviewed the following information:

| | |
|----------------------|-----|
| FD APPLICATIONS | 80 |
| STUDENT APPLICATIONS | 228 |

| | PASSED MOD | STICKERS SENT |
|----------|---------------|------------------|
| MODULE 1 | 137 | 92 |
| MODULE 2 | 83 | 45 |
| MODULE 3 | 53 | 23 |
| MODULE 4 | 49 | 0 |
| | 322 | 160 |

2. Consideration of Fire Officer Training Review for Volunteer Fire Departments

Tabled till August Commission Meeting

NEW BUSINESS:

- 1. Consideration of Fire Depts Receiving 180 Days to Achieve Compliance: Union VFD, Nettie VFD, Ballard VFD, Clintonville VFD, Rupert VFD, Frankford VFD, Lewisburg VFD and Renick VFD.**

Commissioner White made a motion to grant 180 Days to Achieve Compliance to the Union VFD, Nettie VFD, Ballard VFD, Clintonville VFD, Rupert VFD, Frankford VFD, Lewisburg VFD and Renick VFD., with a second by Commissioner Eastham With all the ayes and nays having been taken on a voice vote, the motion passed.

- 2. Consideration of Fire Officer 1 & 2 Applications**

Commissioner Oldaker made a motion to accept and approve the following applications for Fire Officer Training Certifications:

Andrew Doss FO 1-2

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

- 3. Consideration of Recertification of Fire Departments: West Union VFD, Wallace VFD, Green Valley VFD, Ona VFD, Salt Rock VFD, Smoot VFD and Wileyville VFD.**

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

West Union VFD, Wallace VFD, Green Valley VFD, Ona VFD, Salt Rock VFD, Smoot VFD and Wileyville VFD.

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

- 4. Consideration of Perfect Evaluation Recertification of Fire Departments: Peterstown VFD, Linside VFD, Alderson VFD, Tri County VFD, Quinwood VFD and Rainelle VFD.**

Commissioner Eastham made a motion to accept and approve recertification of the following fire departments, noting these departments had perfect evaluations:

Peterstown VFD, Linside VFD, Alderson VFD, Tri County VFD, Quinwood VFD and Rainelle VFD.

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

- 5. Consideration of State Building Code**

Marshal Tyree stated in regard to 87.4 as he reported yesterday in Committee meetings that nothing has come back from the Governor's office but once he receives it, he will send it out to the

Commissioners. Nothing needs to be set at this time, but it is in the process. It will be filed for public comment on June 26th. Marshal Tyree explained the timelines.

6. Consideration of State Fire Code and Public Hearing Date

Commissioner Oldaker made a motion for Chairman Shriver to set the date for the Public Hearing and recommend approval of the State Fire Code and Public Hearing Date, seconded by Commissioner Eastham. With all the ayes and nays having been taken on a voice vote, the motion passed.

7. Consideration of Supervision of Fire Protection Workers-Statutory Language Change

Marshal Tyree stated that in addition to the information I gave yesterday there will be definition change.

Commissioner Stroop made a motion to approve the Supervision of Fire Protection Workers- Statutory Language Change, seconded by Commissioner Oldaker. With all the ayes and nays having been taken on a voice vote, the motion passed.

8. Consideration of 120 Day Agreement:

- a. 60th Street, Vienna**
- b. 3901 Camden Avenue, Parkersburg**

Commissioner Hess made a motion to approve the 120 Agreement for the 60th Street, Vienna location, 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 that the Commission allow the Fire Marshal to start the Cease and Desist process on 3901 Camden Avenue, Parkersburg location, seconded by Commissioner Hess.
Discussion:

Commissioner Camp questioned why we are taking these steps.

Marshal Tyree explained that the owner did not comply with a clear plan of correction.

Commissioner Mongold asked how the Cease and Desist Order would work.

Marshal Tyree explained the process.

Discussion ended

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

9. Consideration to adopt FI-110:

Commissioner George made a motion to adopt FI-110 as presented by John Bird, Assistant State Forester, seconded by Commissioner Eastham. With all the ayes and nays having been taken on a voice vote, the motion passed.

CORRESPONDENCE: Protex BDA Enhanced Communication Information received by Chief Deputy State Fire Marshal Sharp from Rick Hill.

Marshal Tyree gave some general information on the material provided by Mr. Hill. It has also been included on the laptops for their review.

GOOD OF THE ORDER:

2019 Fire Commission Meeting Dates & Locations Announced:

August 14 & 15 (Wednesday & Thursday) Charles Town, Jefferson County, WV in conjunction with the WV State Fireman's Association Convention.

October 17 & 18 (Thursday & Friday) Charleston, WV – WV Fire Marshal's Office.

December 5 & 6 (Thursday & Friday) Stonewall Jackson Resort, Logan, WV.

Other events you may be interested in for 2019:

WVU Junior Firefighter Camp, Weston, WV June 15-20, 2019

WV State Fire Marshal's 110th Anniversary, Charleston Open House Celebration- July 15, 2019

Thursday, September 26th 110th Anniversary Staff Dinner, time and location TBD.

World Scout Jamboree, Glen Jean, WV July 22 – August 2, 2019

July 21st Fire Chief's Association membership drive. Jackson's Mill. Board Meeting 10:30, Regular Meeting 11:00 followed by a meal.

WV Fireman's Association 2019 Convention Dates. Arrive on Wednesday evening August 14. Opening of convention is Thursday August 15, 2019 through Saturday August 17.

TIME AND PLACE OF NEXT MEETING(S):

Next regularly scheduled Fire Commission Committee Meetings will take place Wednesday, August 14, 2019 at the Holiday Inn Express, 681 Flowing Springs Road, Ranson, WV 25438, 304-725-1330 in the Ranson/Jefferson Room at 10:00am on Wednesday, August 14th.

The next regularly scheduled Full Commission Meeting will be held at the Hollywood Casino on Thursday, August 15th at 9:00am.

ADJOURN:

Commissioner White made a motion to adjourn at 10:23am, seconded by Commissioner Eastham, with all the ayes and nays having been taken on a voice vote, the motion passed.
