

WV STATE FIRE COMMISSION MEETING
Canaan Valley Resort, Davis WV.

October 8th, 2021

The official business meeting was called to order at 9:0am by Chairman Grant Gunnoe.

ROLL CALL: by Kathryn L Burns

Commissioners Present

Steven Byers, Dave Camp, Carl Eastham, Doug Estep, Edward George, Grant Gunnoe, Phil Hart, Brian Jones, Doug Mongold, Jim Oldaker, Virgil White, and Marshal Tyree.

It is noted that Counsel Nowicki is present as well.

Commissioners Absent

Tom Keefer

Ted Shriver

APPROVAL OF MINUTES:

A moment of silence was observed in memory of former Commissioner Larry Goodwin.

Commissioner George made a motion to accept and approve the minutes of the August 13th, 2021 Fire Commission Meeting, seconded by Commissioner White. With the ayes and nays having been taken on a voice vote, the motion passed.

SFMO & DIVISIONAL REPORTS:

Deputy Jason Baltic gave the Investigations Divisional Report.

Entertained Questions – Commissioner Mongold inquired about the number of deaths compared to last year. Deputy Baltic and Marshal Tyree replied it is along the same pace.

Deputy Dave Blaylock gave the Fire Services Department Report.

Entertained Questions - None

Marshal Tyree gave the Inspections/Plan Review Divisional Report and his October 8th, 2021 report to the Commission containing staffing, legislative, updates, status of Image Trend program and fire department funding loss updates. He also spoke of planned visits, meetings and received correspondence.

Entertained Questions – Commissioner George inquired if the current ASFM are grandfathered or do they have to attend the academy. Marshal Tyree and counsel replied they are in essence grandfathered.

COMMITTEE REPORTS:

Fire Department Services Committee Report

Meeting Minutes

October 7th, 2021

Call to Order

Commissioner Mongold called to order the regular meeting of the Fire Department Services Committee at 10:00AM on October 7th, 2021 at Canaan Valley Resort, Davis WV.

Roll Call

The following commissioners were present:

Dave Camp
Doug Mongold
Jim Oldaker
Phil Hart
Brian Jones

The following commissioners were absent:

None

Unfinished Business-

None

New Business

1. Consideration of Fire Chief Applications (see attached names/departments)

Mongold inquired about the outstanding departments applications. ASFM Bradley Scott updated the Commission with the information on the 17 pending and the 5 that have not been received yet. A discussion was held regarding contact with the departments and the items outstanding.

The Committee requested that prior to tomorrow's meeting provide the Commission with the two separate lists: One of the 17 needing items and what they need and the other list of 5 who have not responded and any information as to why.

Commissioner Oldaker made a motion to recommend to the Full Fire Commission to approve 121 applications, as attached, seconded by Commissioner Camp. With all the ayes and nays having been taken on a voice vote the motion passed.

Counsel read the section of the Emergency rule that applies to the matter for clarity for those in attendance.

2. Consideration of Fire Officer Applications

Commissioner Oldaker made a motion to go into executive session, seconded by Commissioner Camp. With the ayes and nays having been taken on a voice vote the motion passed.

Commissioner Hart made a motion to leave executive session, seconded by Commissioner Jones. With the ayes and nays having been taken on a voice vote the motion passed.

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

- a. *FO 2 – Edward Wolf III (West Liberty)*

- b. *FO 1 – Patrick Woods (Craigsville)*
- c. *FO 2 – Dwight Dunford (Bluestone Valley)*
- d. *FO 1&2 – Mark Walsh (City of Clarksburg)*
- e. *FO 1&2 – Marion Watts (City of Clarksburg)*

Commissioner Jones made a motion to recommend to the Full Fire Commission to approve the applications as listed, seconded by Commissioner Hart. With all the ayes and nays having been taken on a voice vote, the motion passed.

3. Consideration of Fire Department with Perfect Evaluations Recertification

- a. *Clarksburg FD*
- b. *Bridgeport FD*
- c. *leager VFD*
- d. *Raysel VFD*
- e. *Kimbell VFD*
- f. *Athens VFD*
- g. *Bluestone Valley VFD*
- h. *City of Bluefield FD*
- i. *City of Princeton FD*
- j. *Green Valley Glenwood VFD*

Commissioner Oldaker made a motion to recommend to the Full Fire Commission the recertification of the listed departments, noting their perfect evaluations, seconded by Commissioner Camp. With the ayes and nays having been taken on a voice vote, the motion passed.

4. Consideration of Fire Department Recertification

- a. *Stonewood VFD*

Commissioner Hart made a motion to recommend to the Full Fire Commission the recertification of the listed department, seconded by Commissioner Jones. With the ayes and nays having been taken on a voice vote, the motion passed.

5. Report on Fire Department Receiving 180 Days to Achieve Compliance.

ASFM Scott briefed the Commission on the Departments receiving 180 days.

- a. *Diana VFD*

b. Johnstown VFD

c. Wallace VFD

d. Anmorre VFD

e. Bradshaw VFD

f. War VFD

g. Berwind VFD

h. Keystone VFD

i. Matoaka VFD

j. Montcalm VFD

k. Bramwell VFD

l. Bluewell VFD

m. Oakvale VFD

n. East River VFD

o. Walkersville VFD

No Action Taken.

Commissioner Mongold requested the Fire Marshal's Office reach out to Walkersville VFD with an offer assistance from the Fire Commission or the Fire Marshal's Office.

6. Consideration of Update to Fire Department Funding Application.

Commissioner Camp made a motion to recommend to the Full Fire Commission the approval of the updated application as presented, seconded by Commissioner Hart. With the ayes and nays having been taken on a voice vote, the motion passed.

Adjournment

Commissioner Oldaker moved to adjourn the meeting at 10:45am, seconded by Commissioner Camp, 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 as written, seconded by Commissioner Eastham. With the ayes and nays having been taken on a voice vote the motion passed.

Disciplinary Committee Meeting Report

Meeting Minutes

October 7th, 2021

Call to order

Commissioner Eastham called to order the regular meeting of the Disciplinary Committee Meeting at 10:49am on October 7th, 2021 at Canaan Valley Resort, Davis WV.

Roll call

The following commissioners were present:

Carl Eastham
Doug Mongold
Steven Byers
Edward George

The following commissioners were absent:

Ted Shriver

Unfinished business

1. Update on FDC FY 2021-011 Sophia Area - Underage Juvenile Riding the Apparatus and Operate at Scene of Emergency Incident.

Chief Gary Taylor spoke to the Commission noting their policies and procedures in place regarding Juniors and provided the written policy.

Commissioner Eastham inquired about requirement of seatbelts and Chief Taylor replied it is in their policies for all members, but they will add it to the junior policy as well. Commissioner Eastham asked for that policy change to be sent to the Commission once completed.

Commissioner Mongold made a motion to recommend to the Full Commission to close FDC FY 2021- 011, seconded by Commissioner George. With the ayes and nays having been taken on a voice vote the motion passed.

2. Update on FDC FY 2021-013 Cottageville VFD

Marshal Tyree updated the Commission noting the department is complying with the Commission's request and has had a good response to calls.

No Action Taken.

3. Update on FDC 2021-006 Craigsville, Beaver, Cottle VFD

ASFM Scott updated the Commission noting the former Officers are no longer pursuing Officer status.

Commissioner Mongold made a motion to recommend to the Full Fire Commission to close FDC 2021-006, seconded by Commissioner Byers. With the ayes and nays having been taken on a voice vote, the motion passed.

New business

1) Consideration of FDC 2021-009 Underage Juvenile Riding the Apparatus and Being in Hot Zone at Scene of Emergency Incident.

Commissioner Mongold made a motion to enter executive session, seconded by Commissioner Byers. With the ayes and nays having been taken on a voice vote the motion passed.

Commissioner Byers made a motion to leave executive session, seconded by Commissioner George. With the ayes and nays having been taken on a voice vote the motion passed.

Commissioner Mongold made a motion to recommend to the Full Fire Commission to find probable cause, seconded by Commission Byers With the ayes and nays having been taken on a voice vote, the motion passed.

Adjournment

Commissioner Mongold moved to adjourn the meeting at 11:29am, seconded by Commissioner Byers, 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 as written, seconded by Commissioner Eastham. With the ayes and nays having been taken on a voice vote the motion passed.

Training Committee Meeting Report

Meeting Minutes

October 7th, 2021

Call to order

Commissioner White called to order the regular meeting of the Training Committee at 11:30am on October 7th, 2021 at Canaan Valley Resort, Davis WV.

Roll call

The following commissioners were present:

Virgil White
Jim Oldaker
Doug Estep
Dave Camp

The following commissioners were absent:

Tom Keefer

Unfinished Business

- 1. Consideration of Training Program Outline – Fire Commission and Fire Marshal’s Office – Review of Mission, Authority and Operation.**
 - a. FireFighter 1
 - b. Fire Officer Series 1

Commissioner Oldaker made a motion to recommend to the Full Fire Commission the approval of the Training Program Outline as presented, seconded by Commissioner Estep. With the ayes and nays having been taken on a voice vote, the motion passed.

New business

1. Consideration of Application for Specialized Teams.

Deputy Blaylock reviewed the application with the Commission.

Discussion was held regarding the needs of an additional application for Specialized Team requests and the corrections needed on the Specialized Membership application presented.

No Action Taken

Commissioner White asked if there were any comments or questions from those in attendance.

Mark Lambert of WV FSE, Ralph McNemar of WV PST and Mike Freeman of WV PST updated the Commission on upcoming events and program updates.

Adjournment

Commissioner Estep moved to adjourn the meeting at 11:55am, seconded by Commissioner Camp, 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 as written, seconded by Commissioner Oldaker. With the ayes and nays having been taken on a voice vote the motion passed.

Grant Funding Committee Meeting Report

Meeting Minutes

October 7th, 2021

Call to order

Commissioner Mongold called to order the meeting of the Grant Funding Committee Meeting at 1:50pm on October 7th, 2021 at Canaan Valley Resort, Davis WV.

Roll call

The following commissioners were present:

Steven Byers
Doug Estep
Phil Hart
Doug Mongold

Jim Oldaker

The following commissioners were absent:

None

Unfinished business

None

New business

1. Consideration of FY 2022 WV VFD Fire Service Equipment and Training Grant Applications.

Marshal Tyree, Staff and Commissioners reviewed the applications received.

Commissioner Hart made a motion to recommend to the Full Fire Commission to award a maximum of \$6000.00 to the qualifying departments (Montgomery did not qualify as they are a combination department) that submitted applications, seconded by Commissioner Byers. With all the ayes and nays have been taken on a voice vote the motion passed.

The Committee reviewed the applications for any areas of concern.

At this time Commissioner Hart recused himself from the meeting during review of Belington's VFD grant review. After review he returned to the meeting.

At this time Commissioner Estep recused himself from the meeting during review of Morrisvale's VFD grant review. After review he returned to the meeting.

At this time Commissioner Byers recused himself from the meeting during review of Jackson's Mill VFD grant review. After review he returned to the meeting.

At this time Commissioner Oldaker recused himself from the meeting during review of Alum Creek's VFD grant review. After review he returned to the meeting.

The Committee reviewed the remaining applications.

Adjournment

Commissioner Oldaker moved to adjourn the meeting at 2:50PM, seconded by Commissioner Estep, 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 as written, seconded by Commissioner Oldaker. With the ayes and nays having been taken on a voice vote the motion passed.

UNFINISHED BUSINESS:

1) Update on FDC FY 2021-011 – Sophia (Underage Juvenile Riding the Apparatus and Operate at Scene of Emergency Incident).

Commissioner Eastham made a motion to close FDC FY 2021-011 and have staff provide the necessary correspondence, seconded by Commissioner Eastham. With the ayes and nays having been taken on a voice vote, the motion passed.

2) Update on FDC FY 2021-013 – Cottageville

Chairman Gunnoe updated those in attendance on the complaint, the course of action taken and the request for updates until April 2022.

No Action Taken.

3) Update on FDC 2021-006 – Craigsville, Beaver, Cottle VFD.

Commissioner Eastham updated those in attendance that the individuals needing Officer training have no longer are pursuing the position.

Commissioner Eastham made a motion to close FDC 2021-006 and for staff to send the necessary correspondence, seconded by Commissioner George. With the ayes and nays having been taken on a voice vote the motion passed.

4) Consideration of Training Program Outline – Fire Commission and Fire Marshal’s Office – Review of Mission, Authority and Operation

- a. Fire Fighter I
- b. Fire Officer Series I
- c.

Marshal Tyree provided the information to the Commission and those in attendance.

Commissioner White made a motion to recommend the approval of the Training Program Outline as presented, seconded by Commissioner Mongold With the ayes and nays having been taken on a voice vote, the motion passed.

NEW BUSINESS:

1) Consideration of Fire Chief Applications. See attachment to agenda.

Commissioner Mongold updated those in attendance on yesterday’s proceedings during the Committee meeting.

Commissioner White made a motion to approve the 121 applications, seconded by Commissioner Eastham. With the ayes and nays having been taken on a voice vote, the motion passed.

After review of the applicable emergency rule 87CSR13 with Counsel the following motions were made regarding the remaining Fire Chief Certifications that submitted partially complete applications.

Commissioner Mongold made a motion to approve the certification of Harless McCombs (Monongah VFD), seconded by Commissioner Eastham. With the ayes and nays having been taken on a voice vote the motion passed.

Commissioner Eastham made a motion to extend the time allowed for certification to the December Fire Commission meeting and have staff send a temporary certification per 87CRS13 2.3c, for Jimmy Lipscomb (Brookhaven VFD), seconded by Commissioner Mongold. With the ayes and nays having been taken on a voice vote the motion passed.

Commissioner Mongold made a motion to approve the certification of Gregory Hott (Capon Valley VFD), seconded by Commissioner Estep. With the ayes and nays having been taken on a voice vote the motion passed.

Commissioner Mongold made a motion to approve the certification of Tracy Cline (Coal Mountain VFD), seconded by Commissioner Estep. With the ayes and nays having been taken on a voice vote the motion passed.

Commissioner Mongold made a motion to approve the certification of Lester Cool (Gassaway VFD), seconded by Commissioner Eastham. With the ayes and nays having been taken on a voice vote the motion passed.

Commissioner Eastham made a motion to approve the certification of Tracy Cline (Hanover VFD), seconded by Commissioner Estep. With the ayes and nays having been taken on a voice vote the motion passed.

Commissioner Mongold made a motion to extend the time allowed for certification to the December Fire Commission meeting and have staff send a temporary certification per 87CRS13 2.3c, for Harold Ward (Henlawson VFD), seconded by Commissioner Eastham. With the ayes and nays having been taken on a voice vote the motion passed.

Commissioner George made a motion to approve the certification of Jeffery Farris (Lenore VFD), seconded by Commissioner Eastham. With the ayes and nays having been taken on a voice vote the motion passed.

Commissioner George made a motion to approve the certification of Ryan Bucher (Reader), seconded by Commissioner Eastham. With the ayes and nays having been taken on a voice vote the motion passed.

Commissioner Mongold made a motion to approve the certification of Robert Carpenter (Reedy), seconded by Commissioner Eastham. With the ayes and nays having been taken on a voice vote the motion passed.

Commissioner Mongold made a motion to extend the time allowed for certification to the December Fire Commission meeting and have staff send a temporary certification per 87CRS13 2.3c, for Michael Guella (Roderfield), seconded by Commissioner Estep. With the ayes and nays having been taken on a voice vote the motion passed.

Commissioner Mongold made a motion to extend the time allowed for certification to the December Fire Commission meeting and have staff send a temporary certification per 87CRS13 2.3c, for William Weese (Town of Man VFD), seconded by Commissioner Eastham. With the ayes and nays having been taken on a voice vote the motion passed.

Commissioner Mongold made a motion to approve the certification of Clarence Turner (Whitmer VFD), seconded by Commissioner Eastham. With the ayes and nays having been taken on a voice vote the motion passed.

Commissioner Mongold made a motion to approve the certification of Robert Steven Johnson (Chesapeake VFD), seconded by Commissioner Estep. With the ayes and nays having been taken on a voice vote the motion passed.

Commissioner Mongold made a motion to grant an extension of the application certification deadline of Richard Harlow (Adrian VFD) and Patricia Cox (Rodelle VFD), to the December Commission meeting seconded by Commissioner Eastham. Upon discussion Commissioner Eastham requested to amend the motion to require a response by 14 days after notice from the Fire Marshal's Office was received, seconded by Commissioner Byers. With the ayes and nays having been taken on a voice vote the amended motion passed.

Commissioner Byers made a motion for notice to be sent to Selbyville VFD requiring a response to the Fire Chief Certification rule (rule and necessary documentation needed to be enclosed with letter) within 14 days of receipt of the notice, seconded by Commissioner Estep. With the ayes and nays having been taken on a voice vote the motion passed.

Commissioner Byers made a motion for notice to be sent to Belle VFD requiring a response to the Fire Chief Certification rule (noting FF1 won't be necessary) within 14 days of receipt of the notice, seconded by Commissioner Estep. With the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Eastham made a motion for notice to be sent to Bethany Pike VFD requiring a response to the Fire Chief Certification rule (rule and necessary documentation needed to be enclosed with letter) within 14 days of receipt of the notice, along with failure to comply provision in 87CSR13 2.3.a, seconded by Commissioner Byers. With the ayes and nays having been taken on a voice vote the motion passed.

Commissioner Mongold made a motion for notice to be sent to Mount Grove VFD requiring a response to the Fire Chief Certification rule (rule and necessary documentation needed to be enclosed with letter) within 14 days of receipt of the notice, along with failure to comply provision in 87CSR13 2.3.a, seconded by Commissioner Estep. With the ayes and nays having been taken on a voice vote the motion passed.

Commissioner Oldaker made a motion for notice to be sent to Walkersville VFD requiring a response to the Fire Chief Certification rule (rule and necessary documentation needed to be enclosed with letter) within 14 days of receipt of the notice, along with failure to comply provision in 87CSR13 2.3.a, seconded by Commissioner Byers. With the ayes and nays having been taken on a voice vote the motion passed.

Commissioner Byers made a motion for staff to clean-up the Fire Chief application based on 87CSR13 requirements, seconded by Commissioner Camp. With the ayes and nays having been taken on a voice vote, the motion passed.

2) Consideration of Fire Officer Applications.

- f. FO 2 – Edward Wolf III (West Liberty)
- g. FO 1 – Patrick Woods (Craigsville)
- h. FO 2 – Dwight Dunford (Bluestone Valley)
- i. FO 1&2 – Mark Walsh (City of Clarksburg)
- j. FO 1&2 – Marion Watts (City of Clarksburg)

Commissioner Mongold made a motion to approve applications, seconded by Commissioner Eastham With the ayes and nays having been taken on a voice vote, the motion passed.

3) Consideration of Perfect Evaluation Recertification of Fire Departments.

- a. Clarksburg FD
- b. Bridgeport FD
- c. leager VFD
- d. Raysel VFD
- e. Kimbell VFD
- f. Athens VFD
- g. Bluestone Valley VFD
- h. City of Bluefield FD
- i. City of Princeton FD
- j. Green Valley Glenwood VFD

Commissioner Mongold made a motion to recertify the departments noting their perfect evaluations, seconded by Commissioner White With the ayes and nays having been taken on a voice vote, the motion passed.

4) Consideration of Recertification of Fire Departments.

- a. Stonewood VFD

Commissioner Mongold made a motion to recertify the department, seconded by Commissioner White. With the ayes and nays having been taken on a voice vote, the motion passed.

5) Report on Fire Departments Receiving 180 Days to Achieve Compliance.

Commissioner Gunnoe explained yesterday report.

- a. Diana VFD
- b. Johnstown VFD
- c. Wallace VFD
- d. Anmorre VFD
- e. Bradshaw VFD
- f. War VFD
- g. Berwind VFD
- h. Keystone VFD
- i. Matoaka VFD
- j. Montcalm VFD
- k. Bramwell VFD
- l. Bluewell VFD
- m. Oakvale VFD
- n. East River VFD
- o. Walkersville VFD

No Action Taken

6) Consideration of Update to Fire Department Funding Application.

Commissioner Mongold made a motion for the approval of the updated application as presented, seconded by Commissioner Eastham. With the ayes and nays having been taken on a voice vote, the motion passed.

7) Consideration of FY 2022 WV VFD Fire Service Equipment and Training Grant Applications. See attachment.

Commissioner Mongold made a motion to award a maximum of \$6000.00 to the qualifying departments (Montgomery did not qualify as they are a combination department) that submitted applications, seconded by Commissioner Estep. With all the ayes and nays having been taken on a voice vote the motion passed.

At this time Commissioner Hart, Commissioner Byers, Commissioner Estep, and Commissioner Oldaker recused themselves from the meeting.

Commissioner Mongold made a motion to approve as submitted, while following the previously set \$6000.00 cap the VFD Equipment and Grant Fund applications for Morrisvale VFD, Belington VFD, Alum Creek VFD and Jacksonville VFD, seconded by Commissioner Eastham. With the ayes and nays having been taken on a voice vote, the motion passed.

At this time Commissioner Hart, Commissioner Byers, Commissioner Estep, and Commissioner Oldaker returned to the meeting.

Commissioner Eastham made a motion to approve as submitted, while following the previously set \$6000.00 cap the VFD Equipment and Grant Fund applications for the remaining submitted eligible applications, seconded by Commissioner Estep. With the ayes and nays having been taken on a voice vote, the motion passed.

8) Consideration of Application for Specialized Teams.

Chairman Gunnoe updated those in attendance on yesterday's discussion and the need for two applications, one from the department for the specialized team and the other for the individual members.

9) Consideration of FDC 2021-009 Underage Juvenile Riding the Apparatus and Being in a Hot Zone at Scene of Emergency Incident.

Commissioner Eastham made a motion to find probable cause, seconded by Commission White. With the ayes and nays having been taken on a voice vote, the motion passed.

Having found probable cause, the department was named as Williamsburg.

Commissioner Gunnoe updated everyone on the contents of the Complaint, the resulting investigation, and the response from the Fire Chief.

Commissioner Eastham made a motion that the Fire Marshal's Office send notice (along with copy of 87CSR13) to the department requesting a Corrective Plan of Action be provided to the Commission that shows a policy has been put into place that complies with 87CSR13, seconded by Commissioner Mongold. With the ayes and nays having been taken on a voice vote, the motion passed.

10) Report from Training Providers to Commission – RE: Certificate Access and CPR Training Information.

Mark Lambert and Ralph McNemar of WVU FSE and reported to the Commission how transcripts and certificates are accessed, including associated fees, length of time to process and their new web-based system being implemented. They fielded questions from the Commission regarding the process. He noted that CPR training was done by an outside source.

WV PST Jamie Weller – Gave a screen presentation on their website, how it is accessed, how to enroll, enrollee side (certificate access) and PST side of the site which is run by WV.Net. He fielded questions from the Commission regarding the process.

The Commission will provide a letter for WVU FSE and WV PST (WV.Net) requesting Fire Marshal read only access to the system to confirm certification as needed. The Commission may also seek legislation requiring access to the systems if needed.

Chairman Gunnoe and the Commission asked the training providers to continue the discussion at the December meeting when WVU FSE has more information on their new web-based system.

RECRUITMENT AND RETENTION:

No discussion.

SPEAKERS:

None scheduled

CORRESPONDENCE:

WV Fallen Firefighter Memorial Invitation – October 10th, 2021 at 1:00pm
PST Roundtable Invitation - November 14th, 2021 at 9:00am

GOOD OF THE ORDER:

2022 Proposed Meeting Dates and Locations held over to December's meeting.

TIME AND PLACE OF NEXT MEETING(S):

December Committee Meetings 10:00am Thursday, December 2nd at Oglebay Resort. Commission Meeting 9:00am Friday, December 3rd at Oglebay Resort.

ADJOURN:

Commissioner White made a motion to adjourn at 11:00am, second by Commissioner Eastham with all the ayes and nays having been taken on a voice vote, the motion passed.
