

STATE FIRE COMMISSION MEETING
WV Fire Academy
Weston, WV
June 26, 2014

The official business meeting was called to order at 7:00 PM by Chairman Bob Sullivan.

COMMISSIONERS PRESENT:

Bob Sullivan, Chairman	Ted Shriver
Robert S. Miller	Doug Mongold
Larry Goodwin	Rick Scott
Carl Sizemore	Virgil White
John Holstein	

COMMISSIONERS ABSENT:

Gary Bonnett	Grant Gunnoe
Tom Keefer	

APPROVAL OF MINUTES

Commissioner White made a motion to accept and approve the minutes of the April 4, 2014 regular meeting. Commissioner Shriver seconded the motion. The ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Scott made a motion to accept and approve the minutes of May 5, 2014 special meeting. Commissioner Goodwin seconded the motion. The ayes and nays having been taken on a voice vote, the motion passed.

COMMITTEE REPORTS:

The Training Committee met at the West Virginia State Fire Academy at 14:05hrs.

Committee members present were; White, Scott, Holstein, and Goodwin. Items discussed were as follows;

Unfinished business

Training rule comment closed on June 24th. There were no comments made. Motion made by Commissioner Scott 2nd by Commissioner Holstein to bring to the full Commission to adopt the training rule as amended from the May 2014 meeting and to submit it for emergency rule to be passed. With all the ayes and nays having been taken on a voice vote, the motion passed.

Discussion of an email from Dave Camp of the Volunteer Fireman's Insurance Service (VFIS) in regards to their Emergency Vehicle Operation Course. He was needing clarification of the class being taught in relation to the Legislative Training Rule. After a discussion it was the general consensus that this was already in the rule as a part of driving an emergency vehicle but not a mandate. This class was submitted in 2009 and was Fire Commission approved. Therefore it did not need to be resubmitted for approval to be taught. It was further explained that only courses wanting or requiring a State Fire Commission Certificate needs to come before the Commission for approval and go through the course submittal process.

Commissioner Scott and WVFSE Lanny Adkins. Elaborated on the new Traffic Management Course and the train-to-trainer that is being taught at the National Fire Academy (NFA) this weekend. This course could be taught throughout the state without having the Commission's approval. Lanny stated that he would like to see the course first before putting anything out there.

Deputy Marshal Lambert stated that the Arson classes are still in the works but on hold for the time being until a curriculum can be obtained. He has been working with the WVFSE on this.

There were 2 letters sent in regards to the Career training in the administrative policy. After a lengthy discussion it was decided to change the "should" to shall in the Administrative Policy Section 5.02.03.

Motion by Holstein 2nd by Goodwin to present to the full commission to approve the Administrative Policy As amended. With all the ayes and nays having been taken on a voice vote, the motion passed.

New Business

WVFSE- Lanny Adkins stated that the National Fireman's Weekend has been changed to the first weekend in November. This should be the 7th and 8th. Also there were 135 out of 139 kids that completed the Jr. Firefighter's Camp. It was held this week and was a great success. There were 62 participants from out of state, the farthest being from Colorado.

WV Dept. of Ed/ RESA

Ed Hicks from WV Dept. of Ed stated that Dr. Varner had retired and her position is now vacant. They are working on getting it filled because of the importance of it. Rick Rice from RESA 1 announced his retirement plans as Monday, June 30, 2014.

RESA has also been doing IFSAC Testing in the state. With the latest being in Martinsburg where 6 passed successfully.

Misc. comments and question

None.

Motion by Goodwin 2nd by Holstein to adjourn. With all the ayes and nays having been taken on a voice vote, the motion passed.

Meeting concluded at 15:00hrs.

Commissioner White made a motion to submit the training rule as amended on May 5, 2014. Commissioner Mongold seconded the motion. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner White made a motion that the administrative Fire Department policy as amended should be changed to shall.

Commissioner White withdraws his motion.

Commissioner Butcher made a motion to accept this committee report. Commissioner Mongold seconded the motion. With all the ayes and nays having been taken on a voice vote, the motion passed.

Disciplinary Committee –

Disciplinary Committee was called to order at 4:15.

Committee members present; Shriver Scott Sullivan

Counsel Connolly present Leslie taking minutes

Motion to go into Executive session by Shriver seconded by Sullivan at 4:15.

2013-29 is here to speak. They are working on finishing class and taking the tests. The assistant chief is speaking; Charles Miller. Staff recommends a consent decree. Motion made by Commissioner Shriver to enter into a 180 Consent Decree with Albright VFD, seconded by Commissioner Sullivan. All the ayes and nays taken on a voice vote, the motion passed.

2013-01 Staff recommends to dissolve the consent decree. Motion made by Commissioner Shriver to dissolve the consent decree seconded by Commissioner Sullivan. All the ayes and nays taken on voice vote, the motion passed. Motion made by Commissioner Shriver to give 180 day extension seconded by Commissioner Sullivan. All the ayes and nays having been taken on a voice vote, the motion passed.

2013-03 the consent decree has expired. Counsel has emailed the attorney with no response. Commissioner Shriver makes a motion to defer to the full commission on Friday seconded by Commissioner Sullivan. All the ayes and nays having been taken on a voice vote, the motion passed.

2013-34 dismiss the consent decree Commissioner Shriver made a motion to dismiss seconded by Sullivan. All the ayes and nays taken on a voice vote, the motion passed.

2014-35 Commissioner Shriver made a motion for 180 days seconded by Commissioner Sullivan. All the ayes and nays taken on a voice vote the motion passed for Alderson VFD to have a 180 day extension.

2014-36 Commissioner Shriver made a motion for 180 days seconded by Commissioner Sullivan. All the ayes and nays having been taken on a voice vote, the motion passed for Foolansbee VFD to have a 180 day extension.

2014-38 Commissioner Shriver made a motion for 180 days seconded by Commissioner Sullivan. All the ayes and nays having been taken on a voice vote, the motion passed for Grant Town VFD to have a 180 day extension.

2014-39 Commissioner Shriver made a motion for 180 days seconded by Commissioner Sullivan. All the ayes and nays having been taken on a voice vote, the motion passed for Mannington VFD to have a 180 day extension.

2014-40 Commissioner Shriver made a motion for 180 days seconded by Commissioner Sullivan. All the ayes and nays having been taken on a voice vote, the motion passed for Nettie VFD to have a 180 day extension.

2014-50 Commissioner Shriver made a motion for 180 days seconded by Commissioner Sullivan. All the ayes and nays having been taken on a voice vote, the motion passed for Craigsville VFD to have a 180 day extension.

Chapel VFD- Commissioner Shriver makes a motion to dissolve the consent decree and recommends to be recertified seconded by Commissioner Sullivan. All the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Sullivan made motion to come out of executive order at 5:13 seconded by Commissioner Shriver with all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Shriver made a motion to adjourn at 5:14 seconded by Commissioner Scott with all ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Mongold makes a motion to remove Bancs VFD consent decree seconded by Commissioner Holstein. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Butcher makes a motion to give Bancs VFD a 180 day extension seconded by Commissioner Mongold. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Shriver made a motion for Albright VFD to have a 180 day consent order seconded by Commissioner White. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Holstein made a motion to lift the consent order on Wharncliff VFD seconded by Commissioner Sizemore. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Sizemore made a motion to release Chapel VFD from the consent order and recertify them seconded by Commissioner Butcher. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner White made a motion to grant the 180 day extension for Alderson VFD, Follansbee VFD, Grant Town VFD, Mannington VFD, Nettie VFD, and Craigs ville VFD seconded by Commissioner Goodwin. With all the ayes and nays having been taken on a voice vote, the motion passed.

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

Legislative Codes & Regulations Committee-
Did not meet as a quorum was not present.

Fire Department Services Committee –
FDSD Committee 6/26/14

Called to order at 1:00PM. Present Sizemore, Mongold, Butcher, and Miller. Provaznik in attendance and Leslie taking minutes.

Maysville Boundary Change request. Dusty the Chief gives presentation. He talks about different procedures between the departments causing problems to arise on scene. Gave an example that his department was not notified of a fire on an entrapment and another department was alerted farther away. Chief wants the boundaries to be changed back.

Shawn Kimble from Maysville now presents his case. Only change is corridor H but doesn't make Maysville the first due area. Kimble speaks about the entrapment fire and what he feels happened that day.

Commissioner Mongold asks if anyone has questions.

Jerry Whistner a county commissioner from Mineral County speaks. Wants the fastest service for his people.

Mongold speaks about changes to the boundary what can happen.

Marshal Carrico speaks about county line divisions. They are for political uses but they are not good for departments to use anymore. Both county commissions need to be in agreement for dual dispatch. Response times are with the 911 center the commission doesn't have anything to do with that.

Commissioner Butcher makes a motion to leave this boundary as it is seconded by Commissioner Sizemore. The committee feels it is all covered by dual dispatch. All the ayes and nays having been taken on a voice vote, the motion passed. .

Tornado Boundary Request Change- Greg Childers spoke. Says people in Kanawha are paying a Lincoln County fire fee. He doesn't feel this is fair to his department.

Oldaker chief speaks. Shows a map.

Dave Ducan the Westside chief speaks. He explains why they cancelled mutual aid with Lincoln County.

CW Sigman speaks. Would like the mutual aid to happen again to serve the people best to the ability!

Motion made by Commissioner Miller that they will take no action but wants them to work it out themselves it was seconded by Commissioner Sizemore. All the ayes and nays having been taken on a voice vote, the motion passed. .

Ansted VFD Sub station- Commissioner Sizemore makes a motion to allow the substation it was seconded by Commissioner Miller. All the ayes and nays having been taken on a voice vote, the motion passed..

Delmes Benett staff recommends denial for FO 1 & 2 for in proper classes.

Amberly Bennett staff recommends denial for FO 1 & 2 for in proper classes.

Michael Lantz staff recommends denial for FO 1 & 2 for in proper classes.

Carl Warner staff recommends denial for FO 1 & 2 for in proper class.

Danny Barth staff recommends approval for FO 1.

Leonard Ralph Jarrett for FO 2 approved.

Steven Johnson FO 1 & 2 recommends approved.

Jeremy Hamilton FO 1 & 2 recommends approved.

James McGraw FO 1 recommends approved.

R Damron Runyon FO 1 & 2 approved pending receiving CPR class.

David Click FO 1 recommends approved.

Bernard S. Hendrick FO 1 recommends approved.

Stephen Saunders FO 1& 2 staff recommends he be approved.

Thomas Paine FO 1 & 2 staff recommends he be approved.

Donald Billups FO 1 staff recommends he be approved.

Donald Liller FO 2 staff recommends he be approved.

William Linville FO 2 staff recommends he be denied for in proper JPR.

Gerald Brill FO 1 & 2 staff recommends he be approved.

Gary Brill FO 1 staff recommends he be denied for lack of classes and certifications.

James Hodges Jr FO 2 staff recommends he be approved.

James Roberts FO 1 staff recommends he be denied for lack of classes and certifications.

Commissioner Miller makes a motion to approve the above recommendations it was seconded by Commissioner Butcher. All the ayes and nays having been taken on voice vote, the motion passed.

Requirements for local FD policy will be postponed to the next meeting when Commissioner Gunnoe can attend. Randy James spoke about comments he made. Motion made by Commissioner Miller to hold off on this until August meeting seconded by Commissioner Butcher. All the ayes and nays having been taken on a voice vote, the motion passed.

Staff recommends to recertify the following departments; Triune Halleck VFD, Gauley Bridge VFD, Wilderness VFD, Bayard VFD, Aurora VFD, West Liberty VFD, Monongah VFD, Tygart Valley VFD, Boggs Run VFD, Colliers VFD, Green Valley/Glenwood VFD, Green Valley VFD.

Motion made by Commissioner Sizemore to recertify these departments seconded by Commissioner Bucher. All the ayes and nays having been taken on a voice vote, the motion passed.

Motion to adjourn at 3:03 by Commissioner Butcher seconded by Commissioner Sizemore. All the ayes having been taken on a voice vote, the motion passed.

Commissioner Miller made a motion on the Marysville VFD and New Creek VFD boundary dispute to make no change seconded by Commissioner Holstein. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Holstein made a motion the Tornado, Alum Creek, and Westside boundary dispute to make not change seconded by Commissioner Shriver. With all the ayes and nays having been taken on voice vote, the motion passed.

Commissioner Mongold made a motion to recertify the fire departments seconded by Commissioner Miller. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Scott made a motion to accept and deny the fire officer 1 and 2 recommendations seconded by Commissioner Sizemore. With all the ayes and nays having been taken on a voice vote, the motion passed.

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

Operations Committee-

Operations Committee called to order at 4:00

Sizemore Mongold Holstein were present

Counsel Connolly present and Leslie taking minutes

Marshal Carrico gives financial numbers and says we probably need to raise fees some to reach our budget.

Oasis phase C is getting ready to be rolled out. Lots of training has taken place.

Counsel Connolly talks about a suit. First hearing will be tomorrow at 2:30. This is dealing with whole sale fireworks.

Motion by Commissioner Mongold to adjourn at 4:10 seconded by Commissioner Sizemore. All the ayes and nays having been taken on a voice vote, the motion passed.

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

STAFF REPORT Nothing to add from the Operations Report.

UNFINISHED BUSINESS

Fire Marshal Posting; is underway.

City of Hurricane Ordinance; nothing new at this time.

2013-03 will be discussed during the Friday morning meeting.

Consideration of City of Kenova Provisional status will be discussed during the Friday meeting.

Arson classes; will be addressed at the next meeting.

Consideration of Building Code Official Rule; Commissioner Shriver made a motion to accept and send to the secretary of state's office seconded by Commissioner Mongold. With all the ayes and nays having been taken on a voice vote, the motion passed.

Consideration of the Fire department Policy; has been labeled to the August meeting.

NEW BUSINESS

Consideration of the Town of Granville; Marshal Carrico explains the letter then Counsel Connolly speaks about what we require. Motion made from Commissioner White to table and for counsel to ask for more information seconded by Commissioner Scott. With all the ayes and nays having been taken on a voice vote, the motion passed.

Consideration of the Ansted substation; Commissioner Sizemore makes a motion to approve the station seconded by Commissioner Holstein. With all the ayes and nays having been taken on a voice vote, the motion passed.

CORRESPONDENCE

GOOD OF THE ORDER

TIME AND PLACE OF NEXT MEETING

Vienna, WV dates and more details to be worked out once it is set.

ADJOURN

Commissioner White made a motion to adjourn. Commissioner Holstein seconded the motion. With all the ayes and nays having been taken on a voice vote, the motion passed.