

STATE FIRE COMMISSION MEETING
South Branch Inn
Moorefield, WV
October 22, 2014

The official business meeting was called to order at 9:00 AM by Chairman Carl Sizemore.

COMMISSIONERS PRESENT:

Robert S. Miller	Doug Mongold
Larry Goodwin	Rick Scott
Carl Sizemore	Virgil White
Dave Camp	Grant Gunnoe
Gary Bonnett	Ted Shriver
Vic Stallard	

COMMISSIONERS ABSENT:

John Holstein	Tom Keefer
Rick Scott	

Chairman Sizemore informs everyone that Rick Scott's mother passed away yesterday.

APPROVAL OF MINUTES

Commissioner White made a motion to accept and approve the minutes of the August 6, 2014 regular meeting. Commissioner Miller seconded the motion. The ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Mongold made a motion to accept and approve the minutes of September 4-5, 2014, special meeting. Commissioner Goodwin seconded the motion. The ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Gunnoe made a motion to accept and approve the minutes of the September 29, 2014 special meeting. Commissioner Mongold seconded the motion. The ayes and nays having been taken on a voice vote, the motion passed.

COMMITTEE REPORTS:

Training Committee 10-21-14

Members Present: White, Miller, Stallard, as well as Connolly and Leslie

Commissioner White called the meeting to order at 11:40.

Counsel gives and update on the FO 1 & 2 curriculum CSR87-8.

Motion made by Commissioner Stallard to move the curriculum to the full commission seconded by Commissioner Miller with all the ayes and nays taken on a voice vote, the motion passed.

Deputy Lambert gives an update on Arson classes hoping to roll it out during Escape in February 2015.

Dave from RESA welcomes everyone. Billy Trump is now over RESA 1 training.

WVU- Tim Emperio; This month a new leader will be hired and hopefully at 100% staff by the first of the year. Personnel are going to the national fire academy. Says people don't have the computers to do the Fire Officer training. They are trying to do blended learning.

Gary Tinchler- WV State Traffic Incident Management- would like to submit for a new class. He explains what "TIM" is. Information is given to all Commissioners.

Commissioner White says "TIM" will be reviewed and brought back in December.

Commissioner Miller motions to adjourn at 12:42 seconded by Commissioner White. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner White makes a motion to accept the Fire Officer 1 and 2 curriculum seconded by Commissioner Gunnoe. With all the ayes and nays taken on a voice vote, the motion passed.

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

Disciplinary Committee –

Members present were Commissioners' Bonnett, Shriver and Camp as well as Counsel Connolly and Leslie Racine.

Commissioner Shriver called the Commission to order at 3:58pm.

Commissioner Bonnett made a motion to go into executive session at 3:59 seconded by Commissioner Camp. With all the ayes and nays taken on a voice vote, the motion passed.

Commissioner Bonnett made a motion for 2014-07- Clearview VFD be granted a 60 day extension and was seconded by Commissioner Camp. With all the ayes and nays taken on a voice vote, the motion passed.

Commissioner Bonnett made a motion for 2014-27- Kessler Cross Lanes VFD be granted a 30 day extension and was seconded by Commissioner Camp. With all the ayes and nays taken on a voice vote, the motion passed.

Commissioner Bonnett made a motion for 2014-36 Follansbee VFD be granted a 90 day extension and was seconded by Commissioner Camp. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Bonnett made a motion for 2014-06- Circleville VFD be granted a 180 day extension and was seconded by Commissioner Camp. With all the ayes and nays having been taken on a voice vote, the motion passed.

2014-65- Motion made by Commissioner Camp to find probable cause seconded by Commissioner Bonnet. With all the ayes and nays having been taken on a voice vote, the motion passed.

Motion made by Commissioner Bonnett to give Bartow Frank Durbin a 180 day extension seconded by Commissioner Camp. With all the ayes and nays having been taken on a voice vote, the motion passed.

2014-67 Motion made by Commissioner Camp to find probable cause seconded by Commissioner Bonnett. With all the ayes and nays having been taken on a voice vote, the motion passed.

Motion made by Commissioner Bonnett to give Cass to give 180 day extension seconded by Commissioner Camp. With all the ayes and nays having been taken a voice vote, the motion passed.

2014-68 Motion made by Commissioner Camp to find probable cause seconded by Commissioner Bonnett. With all the ayes and nays having been taken a voice vote, the motion passed.

Motion made by Commissioner Bonnett to give Frost VFD to give 180 day extension seconded by Commissioner Camp. With all the ayes and nays having been taken on a voice vote, the motion passed.

2014-69 Motion made by Commissioner Camp to find probable cause seconded by Commissioner Bonnett. With all the ayes and nays having been taken on a voice vote, the motion passed.

Motion made by Commissioner Bonnett to give Keystone FD to give 180 day extension seconded by Commissioner Camp. With all the ayes and nays having been taken on a voice vote, the motion passed.

2014-70 Motion made by Commissioner Camp to table until the December meeting and seconded by Commissioner Bonnett. With all the ayes and nays having been taken on a voice vote, the motion passed.

2014-71 Motion made by Commissioner Camp to find probable cause seconded by Commissioner Bonnett. With all the ayes and nays having been taken on a voice vote, the motion passed.

Motion made by Commissioner Bonnett to give Matthias Baker VFD 180 day extension seconded by Commissioner Camp. With all the ayes and nays having been taken on a voice vote, the motion passed.

2014-72 Motion made by Commissioner Camp to find probable cause seconded by Commissioner Bonnett. With all the ayes and nays having been taken on a voice vote, the motion passed.

Motion made by Commissioner Bonnett to give Mount Olivet 180 day extension

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

2014-73 Motion made by Commissioner Camp to find probable cause seconded by Commissioner Bonnett. With all the ayes and nays having been taken on a voice vote, the motion passed.

Motion made by Commissioner Bonnett to give New Cumberland 180 day extension seconded by Commissioner Camp. With all the ayes and nays having been taken on a voice vote, the motion passed.

2014-77 Motion made by Commissioner Camp to find probable cause seconded by Commissioner Bonnett. With all the ayes and nays having been taken on a voice vote, the motion passed.

Motion made by Commissioner Bonnett to give Thorton Fire Department 180 day extension seconded by Commissioner Camp. With all the ayes and nays having been taken on voice vote, the motion passed.

2014-80 Motion made by Commissioner Camp to find probable cause seconded by Commissioner Bonnett. With all the ayes and nays having been taken on a voice vote, the motion passed.

Motion made by Commissioner Bonnett to give Spencer Roane 180 day extension seconded by Commissioner Camp. With all the ayes and nays having been taken on a voice vote, the motion passed.

2014-82 Motion made by Commissioner Camp to find probable cause seconded by Commissioner Bonnett. With all the ayes and nays having been taken on a voice vote, the motion passed.

Motion made by Commissioner Bonnett to give Brookhaven Fire Department 180 day extension seconded by Commissioner Camp. With all the ayes and nays having been taken on a voice vote, the motion passed.

2014-01-HI- discussion was held and the Committee requested additional information to support the complaint and tabled item until December meeting.

Motion made by Commissioner Bonnett to exit executive session seconded by Commissioner Camp. With all the ayes and nays having been taken on a voice vote, the motion passed.

Motion to adjourn by Commissioner Camp at 5:08 seconded by Commissioner Bonnett. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner White makes a motion to give the extensions to the following departments; Clearview, Kessler Cross Lanes, Follansbee, and Circleville. Seconded by Commissioner Miller. With all the ayes and nays having been taken on a voice vote, the

motion passed.

Commissioner Stallard made a motion to grant extensions or table; 2014-65, 2014-67, 2014-68, 2014-69, 2014-70, 2014-71, 2014-72, 2014-73, 2014-77, 2014-80, and 2014-82. Seconded by Commissioner Goodwin. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Stallard made a motion to table until further information can be obtained for 2014-01-HI seconded by Commissioner Miller. 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 seconded by Commissioner Miller. With all the ayes and nays having been taken on a voice vote, the motion passed.

Legislative Codes & Regulations Committee-

Chairman Shriver called the Committee to order at 1:50PM on October 21, 2014 at the South Branch Inn at Moorefield, WV
Members present Chairman Shriver, Commissioners Goodwin, Bonnett, and Stallard as well as Counsel Connolly and Leslie Racine.

The Legislative Agenda was amended to discuss the fire marshal's office funding as well as workers compensation for volunteer departments.

The City of Hurricane issue has not moved however Chairman Shriver will get a formal report from Counsel Greenleaf for the next committee meeting.

"The ASHI School" home inspector course was presented and Commissioner Bonnett made a motion to accept the ASHI home inspector course as an Approved Education provider and it was seconded by Commissioner Stallard . With all the ayes and nays having been taken on a voice vote, the motion passed.

City of Anmore, City of Lumberport, and City of Salem was asking for a provisional status in regards to the lack of a building code official. It was determined to table the matter and ask the Marshal to ask for additional information from each City and ask them to adopt the newest Code. The motion was made by Commissioner Goodwin and seconded by Commissioner Bonnett. With all the ayes and nays having been taken on a voice vote, the motion passed.

Berkeley County Department of Engineering and Building Permits asked for our opinion in regards the fire sprinkler exceptions and after deliberation, Commissioner Stallard made a motion for Marshal Carrico to send Berkley County a letter that their interpretation is correct. The motion was seconded by Commissioner Bonnett. With all the ayes and nays having been taken on a voice vote, the motion passed.

HomeSpection Training was asking for approval of their program however we needed additional information before a vote could be taken. Commissioner Stallard

made a motion to table the topic until the next meeting and seconded by Commissioner Goodwin. With all the ayes and nays having been taken on a voice vote, the motion passed.

ADP Inspection was asking for approval of their program however we needed additional information before a vote could be taken. Commissioner Bonnett made a motion to table the topic this until the next meeting and It was seconded by Commissioner Goodwin. With all the ayes and nays having been taken on a voice vote, the motion passed.

We then discussed the upcoming Legislative rule changes. We discusses that the State Fire Code and State Building Code cannot start until February as the code books will not be published until April of 2015. The process will include meetings with the stakeholders and be ready for a June Commission meeting approval and filing by June 30 for the January 2016 legislative session.

The Building Code Officials Rule will follow the same approval process but the stakeholder meetings can begin sooner.

We also may be posed with reviewing a fireworks bill if it get introduce in the 2015 session.

Commissioner Bonnett stated that the Fire Marshall office is operating under the 1990's process and we need to support legislation to enable more funding for today's issues.

Commissioner Bonnet also spoke about the surcharge of .5% that once was a part of a insurance premium. He would like to have further discussions for funding workers compensation and other free training to any WV resident for training at the WVU Fire Academy.

Commissioner Stallard motioned to adjourn at 2:54 seconded by Goodwin. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner White made a motion to approve ASHI school for Home Inspector seconded by Commissioner Mongold. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Goodwin made a motion to table City of Anmoore, City of Lumberport, and City of Salem seconded by Commissioner Miller. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Stallard made a motion that Berkley County opinion is correct seconded by Commissioner Bonnett. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Camp made a motion to table Homespection and ADP until another meeting seconded by Commissioner Bonnett. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Mongold makes a motion to accept the committee's report seconded by Commissioner Camp. With all the ayes and nays having been taken on voice vote, the motion passed.

Fire Department Services Committee –

Members present: Mongold, Goodwin, Gunnoe, Miller, and Camp as well as Connolly and Leslie

Mongold called to order at 11:00

Commissioners review FO 1 & 2 applications

James Gianato Kimball VFD FO 1 & 2

Eddie Meadows Frame V FD FO 1

Michael Hanks Kessler Cross Lanes FO 1 & 2

Gary Parish Keyser VFD FO 2

James Drake Oceana VFD FO 2

Matthew Neil Gauley River VFD FO 1

Michael Vance Bartow Frank Durbin VFD FO 2

Owen Evans Albright VFD FO 2

Tim Roe Charleston FD FO 2

All were approved.

Staff recommends the recertification of Beech Bottom VFD, Triadelphia VFD, Chesapeake VFD, Tunnelton VFD, Seneca Rocks VFD, Pinch VFD, Mabscott VFD, Wadestown VFD, Laeger VFD, Grantsville VFD, Blacksville VFD, Hooverson Heights VFD, and Bethany Pike VFD.

Bradley Prosperity Substation- Staff recommends approval. Commissioner Gunnoe motions to accept the substation proposal seconded by Commissioner Goodwin. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Miller motions to adjourn at 11:31 seconded by Commissioner Goodwin. With all the ayes and nays having been taken on a voice vote, the motion passed.

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

Commissioner Gunnoe made a motion to approve the Bradley Prosperity Substation seconded by Commissioner Miller. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Gunnoe made a motion to approve the Fire officer 1 and 2 applicants seconded by Commissioner Stallard. With all the ayes and nays having been taken on a voice vote, the motion passed.

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

Operations Committee-

Members present: Gunnoe, White, and Mongold. As well as Connolly and Leslie

Gunnoe called the meeting to order at 3:02.

Marshal Carrico gives his report. It included discussion on inspections and investigations divisions. Policies and procedures are currently be worked on for the office. A fund report was also given.

Marshal Carrico talks about the survey sent to the Fire Departments and how many haven't been received back yet. Discussion followed.

The Committee went into further discussion of what they expect this Committee to report on at the meetings.

Commissioner White motions to adjourn at 3:52 seconded by Commissioner Mongold. With all the ayes and nays having been taken on a voice vote the motion passed.

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

Fire Department Policy SubCommittee-

Members present Sizemore, Gunnoe, Scott, Mongold, and White as well as Connolly and Leslie

Sizemore called the meeting to order at 9:09

Ed speaks about Berkley County and how he doesn't feel this is going to address his situation. Discussion follows.

Commissioner Camp explains the insurance part of Berkley County's situation.

ASFM Provaznik talks about some changes he feels need to be made.

Commissioner Gunnoe makes a motion to approve all the changes to the policy that were discussed during the meeting today recorded by the chair seconded by Commissioner Mongold. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner White makes a motion to bring it to the full commission seconded by Commissioner Gunnoe. With all the ayes and nays having been taken on a voice vote, the motion passed.

Mongold makes a motion to adjourn at 10:38 seconded by Gunnoe. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Miller made a motion to accept the policy and approve it today seconded by Commissioner White. 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 seconded by Commissioner Mongold. With all the ayes and nays having been taken on a voice vote, the motion passed.

UNFINISHED BUSINESS

City of Clarksburg; Counsel spoke and gave an update. Commissioner Mongold made a motion to reject the consent order as offered and to require a due for the list of home on the demolition list seconded by Commissioner Shriver. With all the ayes and nays having been taken on a voice vote, the motion passed.

NEW BUSINESS

Compensation of Fire Marshal; Commissioner Gunnoe gives information. Commissioner Gunnoe makes a motion to set the compensation initially at 75,000 annually seconded by Commissioner Goodwin. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Mongold motioned to evaluate at six months in April and a yearly evaluation for every year after seconded by Commissioner White. The motion was then withdrawn.

CORRESPONDENCE

Commissioner Gunnoe speaks about a letter received from the West Virginia Fire Chiefs which will be brought up at the next meeting but to have personnel to let cities know they are coming to inspect.

GOOD OF THE ORDER

Commissioner Bonnett speaks about a candidate telling people they shut down Summit Park.

Commissioner Shriver congratulates new Marshal Carrico and gives thanks to Commissioner Gunnoe for chairing the committee.

Commissioner Sizemore thanks the committee and is looking forward to working together with Marshal Carrico.

Commissioner Bonnett thanked everyone for their calls and concerns while he has been ill.

TIME AND PLACE OF NEXT MEETING

Will be in Beckley the first or second week of December.

ADJOURN

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