

**STATE FIRE COMMISSION MEETING
STATE FIRE MARSHAL OFFICE
CHARLESTON, WV
APRIL 22, 2013**

The official business meeting was called to order at 10:00 AM by Chairman Bob Sullivan.

COMMISSIONERS PRESENT:

Bob Sullivan, Chairman	Grant Gunnoe
John Holstein	Thomas Keefer
Robert S. Miller	Larry Goodwin
Rick Scott	Carl Sizemore
Virgil White	

COMMISSIONERS ABSENT:

Gary Bonnett	Mike Butcher
Doug Mongold	Ted Shriver

UNFINISHED BUSINESS

Contested Case Hearing Procedures – 87CSR9- Counsel spoke about the rule and said there were no comments and it is ready to be filed.

Commissioner Gunnoe made the motion to file with the Secretary of State's office no later than April 29, 2013. It was seconded by Commissioner White. A roll call vote was taken; in favor Goodwin, Gunnoe, Holstein, Keefer, Miller, Scott, Sizemore, and White. Chairman Sullivan abstained. Motion passed.

Commissioner White made the motion to make the effective date on the contested case hearing procedures – 87CSR9 the day after filing. Seconded by Commissioner Miller. A roll call vote was taken; in favor Goodwin, Gunnoe, Holstein, Keefer, Miller, Scott, Sizemore, and White. Chairman Sullivan abstained. Motion passed.

State Building Code-87CSR4 Legislative rule –final filing- Counsel spoke about the changes. Sprinkler in one and two family dwellings are not required. Discussion followed on when the effective date should be. The home builders association requests ninety days before final filing date. Counsel recommends September 1, 2013 and staff agrees.

Motion was made by Commissioner White to have counsel file at the appropriate time (the week of June 3rd or after) and the effective date to be September 1, 2013. The motion was seconded by Commissioner Gunnoe. A roll call vote was taken; in favor Goodwin, Gunnoe, Holstein, Keefer, Miller, Scott, Sizemore, and White. Chairman Sullivan abstained. Motion passed.

Volunteer firefighters' training, equipment operating standards- 87CSR8 Legislative rule-final filing- Tim Provaznik talked about the new requirement that a firefighter must have a rescue class to work on auto extrications. Thirty percent (30%) do not currently

have this. Training is going on but we should allow as much time as possible for more firefighters to complete the necessary training. Mr. Provaznik also stated that firefighter I would be needed to drive trucks. Currently many volunteer fire departments depend on retired people to drive the trucks and once this rule goes into effect that won't be allowed.

Commissioner Holstein asked about any grandfathering in for the auto extraction. Counsel says that will happen for the auto extraction but Mr. Provaznik is still concerned there will be many without this certification.

Discussion followed about how important it is to give the firefighters as much time as the Commission can.

The motion was made by Commissioner White to make the effective date the last possible day for 87CSR8. It was seconded by Commissioner Miller. A roll call vote was taken ; in favor Goodwin, Gunnoe, Holstein, Keefer, Miller, Scott, Sizemore, and White. Chairman Sullivan abstained. Motion passed.

Certification of Home Inspectors -87CSR5-Change in Statue and Legislative Rule- Counsel informs the commission that they need to decide if they want to continue with the current rule or withdrawal it to add in criminal background checks. Another option would be to send the current rule through and make a change next year to add in criminal background checks.

Mike Reel discussed the importance of the criminal background checks but said they are in favor of the current rule except for the E&O insurance. He would prefer to wait until next year to implement the criminal background checks.

Staff recommends continuing with the current rule.

Commissioner White made a motion to go into executive session at 10:35 for attorney advice. It was seconded by Commissioner Miller and all the ayes and nays taken on a voice vote the motion passed unanimously.

Davy VFD- Discussion was had on the current status of Davy VFD. Rick Rice said the final grades are due soon.

Commissioner Goodwin made a motion of no probable cause and Commissioner Miller seconded it. A roll call vote was taken; all in favor Goodwin, Gunnoe, Holstein, Keefer, Miller, Scott, Sizemore, and White. Chairman Sullivan abstained. Motion passed.

Bradshaw VFD- Discussion followed that training was almost complete.

Commissioner Gunnoe made a motion of no probable cause for Bradshaw VFD and Commissioner White seconded it. A roll call vote was taken; all in favor Goodwin, Gunnoe, Holstein, Keefer, Miller, Scott, Sizemore, and White. Chairman Sullivan abstained. Motion passed.

Summit Park VFD- Commissioner Gunnoe made a motion that probable cause was found with a hearing to be in Kanawha County. It was seconded by Commissioner

White. A roll call vote was taken; all in favor, Goodwin, Gunnoe, Holstein, Keefer, Miller, Scott, Sizemore, and White. Chairman Sullivan abstained. Motion passed.

Bradley Prosperity VFD- Marshal Lewis spoke that staff feels with the new plan in place it will advert this from happening again. Discussion was held on concerning the no response on a fire call.

The motion was made to send a letter requesting a response from Bradley Proserperity by Commissioner Miller and seconded by Commissioner Holstein. A roll call vote was taken; all in favor, Goodwin, Gunnoe, Holstein, Keefer, Miller, Scott, Sizemore, and White. Chairman Sullivan abstained. Motion passed.

NEW BUSINESS

Phil Isner- The commission discussed an extension for Mr. Isner. The motion was made by Commissioner Gunnoe to give Mr. Isner a six (6) month extension. It was seconded by Commissioner sizemore. The ayes and nays taken on a voice vote the motion passed unanimously.

August Date and Location- The meeting will be held in Charleston as soon as a location and date is set everyone will be informed.

Hiring considerations for State Fire Marshal position- Counsel spoke on the Division of Personnel process.

Motion was made by Commissioner Gunnoe to temporarily upgrade Anthony Carrico as interim Fire Marshal effective May 1, 2013. It was seconded by Commissioner Scott. All the ayes and nays having been taken by a voice vote the motion passed unanimously.

Motion was made by Commissioner Gunnoe to post the job internally and externally as soon as staff has the paper work ready. It was seconded by Commissioner Keefer. All the ayes and nays having been taken by a voice vote the motion passed unanimously.

GOOD OF THE ORDER

Glenn Whittingtn offered Putnam County space and Dr. Varner of RESA 3 has meeting space available the office can use as well.

Holstein spoke about the progress he has made towards presenting information at the June meeting on the medals and awards for firefighters.

Holstein also spoke about workers compensation issues with some departments. Insurance companies canceling policies and departments not knowing.

Chairman Sullivan encourages all commissioners to look over the bills that were passed this past legislative session. Chairman also said he would have a committee to narrow down the candidates but to leave a good group for interviews.

Fire Marshal Lewis said while the legislature did take some of the office's money. The 2014 budget will be intact but 2015 may have some issues. Cost savings have already be instituted to cut back and save as much as possible.

Commissioner Gunnoe would like a report on where the office's money comes from and where it goes out during the June meeting.

TIME AND PLACE OF NEXT MEETING

The next Fire Commission Meeting will be held at the WV Fire Academy June 7, 2013 in Weston, WV.

ADJOURN

Commissioner White made the motion to adjourn. Commissioner Miller seconded the motion. Motion carried.