

**STATE FIRE COMMISSION MEETING  
CHARLESTON CIVIC CENTER  
CHARLESTON, WV 25301  
AUGUST 28, 2012**

The official business meeting was called to order at 1:00 PM by Chairman Bob Sullivan.

**COMMISSIONERS PRESENT:**

Bob Sullivan, Chairman	Gary Bonnett
Grant Gunnoe	Robert S. Miller
Rick Scott	Ted A. Shriver
Carl Sizemore	Virgil White

**COMMISSIONERS ABSENT:**

Michael Butcher	Larry Goodwin
Randy James	Thomas Keefer
Doug Mongold	

**UNFINISHED BUSINESS**

**87-5 Certification of Home Inspectors**

Commissioner Shriver stated at the meeting of August 17, 2012, the committee discussed a request by the Home Inspectors Association due to technical errors. He made a motion that the Fire Commission pull this rule. Commissioner White seconded the motion. Voting for the motion were Commissioners Bonnett, Gunnoe, Miller, Scott, Shriver, Sizemore and White. Absent were Commissioners Butcher, Goodwin, James, Keefer, and Mongold. Motion passed.

**87-1 State Fire Code**

Commissioner Shriver stated a public hearing was held on Friday, August 24<sup>th</sup>. Numerous comments were received. Special committee met and discussed the proposed changes to the Fire Code.

Commissioner Shriver made a motion to pull the Fire Code. Commissioner Miller seconded the motion. Voting for the motion were Commissioners Bonnett, Gunnoe, Miller, Scott, Shriver, Sizemore and White. Absent were Commissioners Butcher, Goodwin, James, Keefer, and Mongold. Motion passed.

It was stated that the current fire code, 2009 codes adopted in 2010, will remain in effect.

Commissioner Shriver made a motion the Fire Commission will move forward on the fire code and bring in stakeholders to work with the Commission on this rule. Commissioner Scott seconded the motion. The ayes and nays having been taken on a voice vote, the motion passed.

## 87-8 Training and Equipment Standards of Volunteer Fire Departments

Commissioner Shriver stated the special committee met and went over written comments received.

Commissioner Gunnoe made a motion to add the words “or equivalent” to the training requirement in Section 3.12. Commissioner White seconded the motion. The ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Gunnoe made a motion that Fire Officer 1 and 2 does not need to have a Fire Instructor certification to be certified to either of these levels. Commissioner Bonnett seconded the motion. The ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Gunnoe made a motion to remove the language “other than vehicle machinery rescue” from Section 2.12. Commissioner White seconded the motion. The ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Shriver made a motion not to add number of hours necessary to teach a class. This is outside the scope of this rule. Commissioner Gunnoe seconded the motion. The ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Shriver made a motion not to add language in regards to college credit for courses. This is outside the scope of this rule. Commissioner Sizemore seconded the motion. The ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Gunnoe made a motion not to add language to the rule regarding the cost to the fire departments. This is outside the scope of the rule. Commissioner Scott seconded the motion. The ayes and nays having been taken on a voice vote, the motion passed.

Commissioner White made a motion that all training for certification by the Fire Commission should be done by a fire instructor, therefore, sections 3.10 and 3.10.1 will be deleted from the rule. Commissioner Gunnoe seconded the motion. The ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Gunnoe made a motion that 12 months is a satisfactory amount of time to submit and update after the Commission has taken the step of notifying the agency of the needed update. Commissioner Bonnett seconded the motion. The ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Gunnoe made a motion that curricula is not required to be approved within 12 months, only that the new curricula be submitted within 12 months, therefore, language will not be changed. Commissioner White seconded the motion. The ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Gunnoe made a motion to change the wording to allow a firefighter to only maintain a current first aid card. Commissioner Miller seconded the motion. The ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Shriver made a motion that the tables in 4.1.1-8 are necessary to guide persons submitting curricula to the Fire Commission. They will have to be updated occasionally. Commissioner Sizemore seconded the motion. The ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Shriver made a motion that the table for Hazardous Materials Awareness was eliminated by the change in Section 3.2. Commissioner Miller seconded the motion. The ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Shriver made a motion not to require curriculum submitted for approval be accompanied by a slide or section setting forth a matrix as it correlates to the NFPA Standard, and the amount of time set aside to deliver that training. Commissioner Gunnoe seconded the motion. The ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Gunnoe made a motion to keep the requirement of the approximate cost per student. This is necessary to allow for departments to budget appropriately. Commissioner Sizemore seconded the motion. The ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Shriver made a motion to leave language regarding the Commission's responsibility to ensure that all training is being delivered according to current standards. Commissioner Gunnoe seconded the motion. The ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Shriver made a motion to leave Section 5.2.4 alone. Commissioner Gunnoe seconded the motion. The ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Shriver made a motion to amend the language to state: "be capable of delivering a minimum water flow at the rate of one hundred (100) gallons per minute for a minimum of five (5) continuous minutes for vehicle fires, and two hundred fifty (250) gallons per minute for a minimum of five (5) continuous minutes for a structure fire". Commissioner Gunnoe seconded the motion. The ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Shriver made a motion to amend the language to state: "All personal protective equipment must have met NFPA standards for structural firefighting at the time of purchase by the current owner". Commissioner Sizemore seconded the motion. Commissioner Scott opposed the motion. The ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Shriver made a motion to remove the 10 year restriction on personal protective equipment and leave it to the discretion of the fire department. Commissioner Miller seconded the motion. Commissioner Scott opposed the motion. The ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Shriver made a motion to add the following proviso: "Provided that, during maintenance or service of the vehicle, any person who must drive the vehicle to perform his or her job, may operate that vehicle as long as that person meets all other requirements to operate that vehicle as set forth by statute". Commissioner Gunnoe seconded the motion. The ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Shriver made a motion regarding the need for the promulgation of this rule and the need for training, equipment and operating standards at the levels established in this rule and the amount of money it will take to implement the standards and levels established. The Fire Commission is mandated to promulgate minimum levels of training, equipment and operations for volunteer fire departments by statute. The Commission feels that the levels established in this rule are necessary to protect life and property. Commissioner White seconded the motion. The ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Gunnoe made a motion to allow counsel to make the changes to the rule as discussed. Commissioner White seconded the motion. The ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Shriver made a motion to file Title 87-8 with the appropriate agencies. Commissioner White seconded the motion. The ayes and nays having been taken on a voice vote, the motion passed.

### **Good of the Order**

Mr. Aaron Jones thanked the Commission for their hard work. He requested that evening meetings be considered so that more firefighters could attend.

Mr. Glenn Whittington thanked the Commission and requested that the minutes be released sooner. He was advised they couldn't be released until they had been approved by the Fire Commission.

### **Adjourn**

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