

WV STATE FIRE COMMISSION MEETING

TC Energy Building
1700 MacCorkle Ave SE
Charleston WV 25314
February 2nd, 2024

The official business meeting was called to order at 9:03am 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, Ted Shriver and Virgil White.

It is noted that Counsel Brandolyn Felton-Earnest is in attendance as well.

Commissioners Absent

Thomas Keefer

APPROVAL OF MINUTES:

Commissioner Mongold made a motion to accept and approve the minutes of the December 1st, 2024, Fire Commission Meeting, seconded by Commissioner Eastham. With the ayes and nays having been taken on a voice vote, the motion passed.

RECOGNITION

Honoring Michael Filiaggi, Arki McGinnis, Freddie Perdue, Brian Thomas, Mike Myers, Tim Richardson, Rodney Woodson and Jacob Kania for their heroic efforts during a swift water rescue on August 15th, 2022 in the Smither's area.

Chairman Gunnoe asked for a Moment of Silence in memory of Dale Petry in recognition of his many years of service as a Firefighter.

SFMO & DIVISIONAL REPORT:

Deputy Stewart gave the Inspections and Plan Review Divisional Report.

Marshal Tyree gave the Services, and Investigations Report, and his February 2024, Operations report to the Commission containing staffing, legislative, updates, and fire department funding loss updates. He also spoke of planned visits, meetings and received correspondence. See Ken's report and input a generalization of the report.

Entertained Questions – None

Commissioner Eastham spoke in recognition of the work done by the Fire Marshal's Office and their role in 10 arson arrests in Huntington.

COMMITTEE REPORTS:

The Disciplinary, Legislative and VFD Equipment Committees did not meet.

Fire Department Services Committee Meeting Report

Meeting Minutes

February 1st, 2024

Call to Order

Commissioner Mongold called to order the regular meeting of the Fire Department Services Committee at 10:00AM on February 1st, 2024, at the TC Energy Building-1700 MacCorkle Ave SE, Charleston WV.

Roll Call

The following commissioners were present:

Doug Mongold
Jim Oldaker
Brian Jones
Dave Camp

The following commissioners were absent:

Phil Hart

Unfinished Business

1. Discussion/Consideration of Equivalency Process/Requirements.

Commission Oldaker made a motion to lay over the item for discussion at tomorrow's Full Fire Commission meeting, seconded by Commissioner Camp. With all the ayes and nays having been taken on a voice vote, the motion passed.

New Business

1. Consideration of Fire Officer Applications

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

- a. Edward Eskridge FO 1&2 (City of Weirton)
- b. Jeremy Pitsenbarger FO 1&2 (City of Huntington)
- c. Jonathan Fedoush FO 1&2 (City of Weirton)
- d. Matthew Corcoran FO1&2 (City of Weirton)
- e. Ronald Clutter FO 1&2 (City of Weirton)
- f. Seth Miller FO 1&2 (City of Weirton)
- g. Thomas Baumgardner (City of Weirton)
- h. Kevin Koon FO 2 (Westover)

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

motion passed.

2. Consideration of Fire Chief Applications

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

- a. Michael Newman (Northfork)
- b. Kenneth Cunningham III (Pennsboro)
- c. Zack Adkins (Valley-Mason)
- d. Johny Long (Mozart)
- e. Stephen McIntire (Clarksburg)
- f. Jonthan Mitchell (Ripley)
- g. Corbet Gillespie (Pricetown)
- h. Joseph Coughlin (Beckley)
- i. Roger Lokay (Athens)
- j. David Simmons (South Berkeley)
- k. Ethan Rouzee (Kingwood)
- l. William Newcomb (Bedington)
- m. Damon Bringham (Berwind)
- n. Jason Collis (Hedgesville)
- o. Andrew Pierce (Valley Grove)
- p. Trevor Harper (Flatwood)
- q. Darron Hamrick Jr (North River Valley)
- r. Jacob Jeffries (Summer County)
- s. Paul McCartney (Fork Ridge)
- t. William McClellan (Smithers)
- u. Jeffrey Myers (Fountain)
- v. Chrystal Dolin (Spruce River)

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

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

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

- a. Reedy VFD
- b. Saltrock VFD
- c. Mason VFD

No action needed.

4. Consideration of Fire Department Recertification

Assistant State Fire Marshal Bradley Scott presented the following departments for Recertification.

- a. Smoot VFD

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

5. Consideration of Fire Department with Perfect Evaluations Recertification.

Assistant State Fire Marshal Bradley Scott present the following Perfect Evaluations for Recertification.

- a. St. Albans FD
- b. Green Valley VFD
- c. Institute VFD
- d. Barboursville VFD
- e. Ohio River Road VFD
- f. Culloden VFD
- g. Flatrock VFD
- h. Ona VFD

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

Adjournment

Having no additional business, Commissioner Mongold moved to adjourn the meeting at 10:18am without objection. Meeting adjourned.

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

Training Committee Meeting Report

Meeting Minutes

February 1st, 2024

Call to Order

Commissioner White called to order the regular meeting of the Training Committee at 10:20am on February 1st, 2024, at the TC Energy Building-1700 MacCorkle Ave SE, Charleston WV.

Roll Call

The following commissioners were present:

Virgil White
Jim Oldaker
Doug Estep
Tom Keefer
Dave Camp
Doug Mongold

The following commissioners were absent:

None

Unfinished Business

1. Update on National Qualifying System for Emergency Responders.

Marshal Tyree noted that today's planned speaker from the WV Emergency Management was unable to attend due to an illness, but they are hoping to have a representative at tomorrow's Full Commission meeting.

New Business

The order of business was changed to allow the representative from WV Alzheimer's Association to speak first.

1. Presentation by WV Alzheimer's Association – Training Opportunities.

Teresa Morris from the WV Alzheimer's Association gave a presentation on the training opportunities available to first responders to help them interact with people affected by dementia related issues. The presentation was very informative, and the Commission would like to share those opportunities with the Fire Departments it represents. The Fire Marshal's Office will provide a link on their website for access to the information as well as sending out a packet to the departments.

2. Consideration of City of Charleston Fire Marshal Credentialing Program.

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

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

No Action Taken – Item will be addressed at the Full Fire Commission meeting.

Other Business

Chairman White asked if there was any other business or information that anyone wish to place before the Committee.

Mark Lambert of WVU FSE noted that Junior Camp is June 15th through the 20th. He also wanted to bring to the attention a new proposed OSHA rule having to do with fire and firefighters. From what he understands it won't affect "pure volunteer departments" but it may affect paid or part paid as defined by the proposed rule. He is hoping to have someone available to attend the April Commission meeting who may be able to shed some light on the matter. The proposed rule "Emergency Response Standard" is available for viewing on OSHA's website.

Adjournment

Having no additional business, Commissioner Mongold, moved to adjourn the meeting at 11:32am without objection. Meeting adjourned.

Commissioner Eastham made a motion to accept the report as written, seconded by Commissioner Mongold. With the ayes and nays having been taken on a voice vote the motion passed.

FULL COMMISSION MEETING

UNFINISHED BUSINESS:

1) Discussion/Consideration of Equivalency Process/Requirements.

Chairman Gunnoe spoke of the joint workgroup meeting held in mid-January. He shared the proposals with those in attendance but noted that no action would be taken until the April meeting due to the unexpected absence of Deputy Bailey.

Commissioner White made a motion to suspend any future Equivalency approvals until a new policy has been reviewed and approved, seconded by Commissioner Eastham. With the ayes and nays having been taken on a voice vote, the motion passed.

NEW BUSINESS:

1) Consideration of Fire Officer Applications.

See FDS Report.

- a. Edward Eskridge FO 1&2 (City of Weirton)
- b. Jeremy Pitsenbarger FO 1&2 (City of Huntington)
- c. Jonathan Fedoush FO 1&2 (City of Weirton)
- d. Matthew Corcoran FO1&2 (City of Weirton)
- e. Ronald Clutter FO 1&2 (City of Weirton)
- f. Seth Miller FO 1&2 (City of Weirton)
- g. Thomas Baumgardner (City of Weirton)
- h. Kevin Koon FO 2 (Westover)

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

2) Consideration of Fire Chief Applications.

See FDS Report.

- a. Michael Newman (Northfork)
- b. Kenneth Cunningham III (Pennsboro)
- c. Zack Adkins (Valley-Mason)
- d. Johnny Long (Mozart)
- e. Stephen McIntire (Clarksburg)
- f. Jonathan Mitchell (Ripley)
- g. Corbet Gillespie (Pricetown)
- h. Joseph Coughlin (Beckley)
- i. Roger Lokay (Athens)
- j. David Simmons (South Berkeley)
- k. Ethan Rouzee (Kingwood)
- l. William Newcomb (Bedington)
- m. Damon Brigham (Berwind)
- n. Jason Collis (Hedgesville)
- o. Andrew Pierce (Valley Grove)
- p. Trevor Harper (Flatwood)
- q. Darron Hamrick Jr (North River Valley)
- r. Jacob Jeffries (Summer County)
- s. Paul McCartney (Fork Ridge)
- t. William McClellan (Smithers)
- u. Jeffrey Myers (Fountain)

- v. Chrystal Dolin (Spruce River)

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

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

See FDS Report.

- a. Reedy VFD
- b. Saltrock VFD
- c. Mason VFD

No Action Needed.

4) Consideration of Recertification of Fire Departments.

See FDS Report.

- a) Smoot VFD

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

5) Consideration of Perfect Evaluation Recertification of Fire Departments.

See FDS Report.

- a. St. Albans FD
- b. Green Valley VFD
- c. Institute VFD
- d. Barboursville VFD
- e. Ohio River Road VFD
- f. Culloden VFD
- g. Flatrock VFD
- h. Ona VFD

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

6) Consideration of City of Charleston Fire Marshal Credentialing Program

See Training Report.

Chairman Gunnoe discussed a change to WV §8-15-1 that allowed municipal and volunteer fire departments to be given additional authorities (arrest powers and the provision to carry a sidearm) if approved by their governing body. However, prior to that approval there is a training program that must be completed. Fairmont State has developed such a program and Marshal Tyree has reviewed it and believes it meets all the necessary requirements. A request will be sent to Fairmont State to come before the Commission to present the program to the Commission for approval. Once approved then agencies could take the training. This will also allow Counsel time to review the submission and any necessary legal requirements prior to its' consideration.

Captain Andrew White of Charleston Fire Department addressed the Commission regarding the packet he submitted and their goals. Currently they have 3 personnel assigned to their Fire Prevention Unit (one of which was grandfathered in). Chairman Gunnoe stated that he is not aware any grandfathering would be allowed. Captain White said he misspoke and corrected that they have 5 individuals that completed classes via the Charleston Police Department for Law and Arrests, Search and Seizure, Criminal Procedures, Civil Liability, Defensive Tactics, Firearms Qualification, Use of Force, Processing, OC Pepper Spray and Sensitivity De-escalation Training and those comply with the State Fire Marshal's Office Law Enforcement Core Training Standards. However, they have two individuals that currently don't comply, and that Charleston PD did not have the manpower to supply the training for two persons, they also reached out to the State Police, and they could not accommodate them in those classes and could only offer the 16-week academy course, which would have put them in a staffing bind. As the Fairmont State Program is already an approved Law Enforcement Training Academy for the State, he reached out to them, and they developed this basic proposal that meets the State Fire Marshal's Office Law Enforcement Core Training Standards, but it would not certify anyone as a Law Enforcement Officer per §15A-10-3 in the State. Per September 28th, 2023, LEPS sub-committee minutes, the Fairmont Fire Marshal Certification program was approved but by code it also needs to be approved by the Commission.

Chairman Gunnoe asked if the city (Charleston) had updated the ordinance of the Fire Department for this to be done. Captain White noted the proposal is on City Attorney Baker's desk. He stated the City Code was changed when the State code was changed.

Chairman Gunnoe inquired if this proposal centered around carrying a firearm, to which Captain White responded it was more centered around having arrest powers for arson suspects as they only have one gentleman who can currently take this action.

Chairman Gunnoe clarified with Captain White that the main intention of the request is to have arrest powers for the other members of the bureau and to be able to carry a sidearm. The Commission will need them to submit to a copy of the Ordinance or Code as updated and that the Fire Officers or Inspectors have liability insurance. Some members of the Commission have concerns that these additional powers would only be going to those that also have the appropriate Fire Inspection and Arson Investigation Training as that is the main purpose of the Fire Prevention Unit.

It is Chairman Gunnoe's hope that this will all be resolved at the April meeting and that we request Fairmont submit the program to the Commission for approval.

Commissioner George made a motion to table till the April meeting, seconded by Commissioner White. With the ayes and nays having been taken on a voice vote, the motion passed.

10:10am the Commission took a 15-minute break and was called back to order at 10:25 by Chairman Gunnoe.

SPEAKERS:

Anthony Woods of the WV State Auditor's Office gave an End User presentation on Checkbook program. He noted pending legislation House Bill 5355 that authorizes VFD to use State money to pay for the costs of Checkbook and House Bill 5399 would help streamline the audit process and reduce the number of audits. He spoke of their transparency staff and their dedication to assisting those with any questions. The Checkbook program will be mandatory by December of 2026. He answered the Commissioners question.

WV EMS was unable to attend on the NQS system. If they have something concrete to share, we arrange a special meeting or provide it in a packet to the Commission. Commissioner Oldaker noted the Federal side has information on their website, but it is the State portion that is not clear.

CORRESPONDENCE:

WVPST – IFSAC Accreditation Letter

GOOD OF THE ORDER:

Per the decision of Chairman Gunnoe Steven Byers will now be the Chairman of the FDS Committee.

June Proposed Meeting Location for June 6th, 2024, Committee Meetings and June 7th, 2024 Commission Meeting is in Wheeling. Administrative Secretary Burns will reserve accommodation and meeting space.

TIME AND PLACE OF NEXT MEETING(S):

Committee Meetings - 10:00am Thursday, April 4th, 2024, and Commission Meeting 9:00am Friday, April 5th, 2024, Holiday Inn Express, 691 Flowing Springs Road, Ranson WV 25438.

ADJOURN:

Commissioner White made a motion to adjourn at 10:50am, without objection meeting adjourned.
