

WV STATE FIRE COMMISSION MEETING
Hilton Garden Inn, Morgantown WV

October 7th, 2022

The official business meeting was called to order at 9:00am 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, Tom Keefer, Brian Jones, Doug Mongold, Jim Oldaker, Ted Shriver (via conference call) and Virgil White.

Commissioners Absent

None

APPROVAL OF MINUTES:

Commissioner Eastham made a motion to accept and approve the minutes of the August 5th, 2022, Fire Commission Meeting, seconded by Commissioner White. With the ayes and nays having been taken on a voice vote, the motion passed.

RECOGNITION

Commissioners, Counsel and Staff had a moment of Silence in Memoriam of former State Fire Marshal, Walter Smittle.

SFMO & DIVISIONAL REPORTS:

Deputy Dave Blaylock gave the Fire Services Department Report

Entertained Questions

Marshal Tyree gave the Investigations Report, Inspections/Plan Review Divisional Report and his June 2022 report to the Commission containing staffing, legislative, updates, and fire department funding loss updates. He also spoke of planned visits, meetings and received correspondence.

Entertained Questions

COMMITTEE REPORTS: Disciplinary and Legislative— Did Not Meet

Fire Department Services Committee Meeting Report

Meeting Minutes

October 6th, 2022

Call to Order

Commissioner Mongold called to order the regular meeting of the Fire Department Services Committee at 11:20AM on October 6th, 2022 at the Hilton Garden Inn, Morgantown WV.

Roll Call

The following commissioners were present:

Doug Mongold
Jim Oldaker
Phil Hart
Brian Jones
Dave Camp

The following commissioners were absent:

None

Unfinished Business

1. Consideration of Tornado VFD/Westside VFD Inc #2

Item was tabled at last Full Commission meeting. Correspondence from department's counsel to be discussed during the next day's Full Commission Meeting. No Action Taken.

New Business

1. Consideration of Fire Officer Applications

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

- a. David Angus (Summersville) FO 1 (as corrected)
- b. Jason Anderson (Pinch) FO 2
- c. Robert Waldron (Bethlehem) FO 1&2
- d. Patrick Woods (Craigsville) FO 2

Commissioner Hart made motion to correct agenda to reflect the application for David Angus was for FO 1, seconded by Commissioner Oldaker. With the ayes and nays having been taken on a voice vote, the motion passed.

Commission Hart 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.

2. Consideration of Fire Chief Applications

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

- a. Jason Burger (Dunbar)
- b. Tyler White (Pennsboro)
- c. Evan Aldridge (Summersville)
- d. William Huggins (Clinton District)
- e. Mark Ford (Jefferson)
- f. Joshua Myers (Keyser)
- g. James Frazier (Craigsville)

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

3. Consideration of Fire Department with Perfect Evaluations Recertification

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

- a. Beverly VFD
- b. Elkins VFD
- c. Newburg VFD
- d. Fellowsville VFD
- e. Hillsboro VFD
- f. Marlinton VFD
- g. Shaver Fork VFD
- h. Bartow Frank Durbin VFD

Commissioner Hart 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.

4. Consideration of Fire Department Recertification

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

- a. Lakewood VFD
- b. Davis Creek VFD
- c. Walton VFD
- d. Craigsville VFD
- e. Richwood VFD
- f. Star City VFD
- g. Triune-Halleck VFD
- h. Cyclone VFD
- i. Mount Grove VFD
- j. Aurora 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. Report on Fire Department Receiving 180 Days to Achieve Compliance.

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

- a. Harmen VFD
- b. Whitmer VFD
- c. Coalton VFD
- d. Oceana VFD
- e. Brenton VFD
- f. Burlington VFD
- g. New Creek VFD
- h. Keyser VFD
- i. Rowlesburg VFD
- j. Elk District VFD
- k. Tri Towns VFD
- l. Frost VFD
- m. Cass VFD

No Action Taken.

6. Consideration of Fayette County Firefighters Association 911 Complaint

Tim Richardson (Chief of Oak Hill Fire Department) addressed the Commission with concerns from his department, the Fayette County Firefighters Association and other area departments of how the Fayette County 911 Director is dispatching departments as Fayette County 911 is not following established mutual aid agreements between the departments. They have come before the Commission asking for the Commission's assistance as they believe the Fire Commission has jurisdiction on the matter. Also in attendance was John McGinnis and Bob Begley of Oak Hill Fire Department. Mr. Richardson gave several examples of problems that have arose due to the method of dispatching and has concerns for the safety of the departments and public. He entertained and answered the Commissions questions and a discussion on the matter ensued.

Commissioner Oldaker made a motion to refer the item to the Full Commission, seconded by Commissioner Hart. With the ayes and nays having been taken on a voice vote, the motion passed.

7. Consideration of Amending Policy Procedure to Establish Fire Department or Fire Prevention Unit

Commissioner Oldaker made a motion to refer the item to the full Commission, seconded by Commissioner Hart. With the ayes and nays having been taken on a voice vote, the motion passed.

Adjournment

Having no additional business, Commissioner Oldaker moved to adjourn the meeting at 12:21 without objection. Meeting adjourned.

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

Training Committee Meeting Report

Meeting Minutes

October 6th, 2022

Call to order

Commissioner White called to order the regular meeting of the Training Committee at 10:00am on October 6th, 2022 at the Hilton Garden Inn, Morgantown, WV.

The following commissioners were present:

Virgil White
Jim Oldaker
Doug Estep
Tom Keefer
Dave Camp

The following commissioners were absent:

None

Unfinished Business

1. Update on Firefighter Training Certification Access/Repository Program

Deputy Chief Bailey reported on the meeting held with Commissioner White and the review of the database the Fire Marshal's Office has established. He also reported on the proposed method that the Training entities will use to submit certifications to the WVSFMO. He entertained and answered questions.

A discussion ensued on the legalities involved per the Family Educational Rights and Privacy Act. Public Service Training and WVU Fire Services Extension requested that a letter be sent from the Commission on the proposed method of Certificate submission for review by personnel and legal departments.

Deputy Chief Bailey and Deputy Blaylock also noted the work Ms. Alice Morrison (Data Analyst of Fire Department Services) has done on this project and that he and Deputy Blaylock were impressed.

New business

1. Report on 2022 Pass/Fail Rates

Mike Freeman of Public Service Training reported on the information from PST. He entertained and answered questions.

Mark Lambert of WVU Fire Service Extension reported on the information from FSE. He entertained and answered questions.

2. Consideration of Practical Test Points Value for Firefighter Series Certification

The Committee, Counsel, Staff and Training providers held a discussion on the pros and cons of adding points value to practical skills to be added to the total points received by a student. They also reviewed how surrounding States practical and test processes work.

Chairman Gunnoe noted that the Committee/ Commission will continue to work on a formula or means to apply points/credit for practical skills and that the item will be continued at the December meeting.

No Action Taken

Adjournment

Having no additional business, Commissioner Keefer moved to adjourn the meeting at 11:06am without objection, meeting adjourned.

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

Call to order

Commissioner Mongold called to order the meeting of the Grant Funding Committee Meeting at 1:44pm on October 6th, 2022 at the Hilton Garden Inn, Morgantown WV.

Roll call

The following commissioners were present:

Steven Byers
Doug Estep
Phil Hart
Doug Mongold
Jim Oldaker

The following commissioners were absent:

None

Unfinished business

None

New business

1. **Consideration of FY23 VFD Grant Fund Applications**

Commission Estep made a motion to recommend to the Full Fire Commission that any Fire Commission approved grant request of a department under fiscal investigation, payment be held until payment is approved by Auditor's Office, seconded by Commissioner Hart. With the ayes and nays having been taken on a voice vote the motion passed.

Commissioner Byers made a motion to recommend to the Full Fire Commission to deny **Elk District VFC's** grant request due to incomplete application, seconded by Commissioner Hart. With the ayes and nays having been taken on a voice vote the motion passed.

Commissioner Byers made a motion to recommend to the Full Fire Commission to deny **Raysal VFD's** grant request due to an incomplete application, seconded by Commissioner Oldaker. With the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Estep made a motion to recommend to the Full Fire Commission that **Tornado VFD's** grant request, if approved, have the payment held until the pending investigation is complete, name change is recognized by the Fire Commission and new Fire Chief is recognized by the Fire Commission, seconded by Commissioner Oldaker. With the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Byers made a motion to recommend to the Full Fire Commission to deny **Wayne VFD's** grant request due to an incomplete application, seconded by Commissioner Hart. With the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Byers made a motion to recommend to the Full Fire Commission to award a maximum of \$6000.00 to the qualifying departments, seconded by Commissioner Hart. With the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Hart made a motion to recommend to the Full Fire Commission to approve Morrisvale's grant request, seconded by Commissioner Oldaker (Commissioner Estep recused himself from the vote). With the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Hart made a motion to recommend to the Full Fire Commission to approve Jackson Mill's grant request, seconded by Commissioner Estep (Commissioner Byers recused himself from the vote). With the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Hart made a motion to recommend to the Full Fire Commission to approve Moorefield's grant request, seconded by Commissioner Byers (Commissioner Mongold recused himself from the vote). With the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Hart made a motion to recommend to the Full Fire Commission to approve Alum Creek's grant request, seconded by Commissioner Byers (Commissioner Oldaker recused himself from the vote). With the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Hart made a motion to recommend to the Full Fire Commission to approve the remaining applications up to the \$6000.00 cap, seconded by Commissioner Estep. With the ayes and nays having been taken on a voice vote, the motion passed.

Following the votes, Commissioner Hart noted the difficulties in using the OASIS grant system.

The Committee also discussed the possibility of a letter from the Commission to the Legislature requesting funding to continue the grant.

Adjournment

Commissioner Oldaker moved to adjourn the meeting at 2:42 without objection. Meeting adjourned.

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

FULL COMMISSIONER MEETING

UNFINISHED BUSINESS:

1) Update on Fire Fighter Certification Repository Program

See Fire Department Services Committee Report.

No Action Taken

2) Consideration of Tornado VFD/Westside VFD INC #2

Commissioner Mongold made a motion to take from the table the item, seconded by Commissioner Eastham. With the ayes and nays haven been taken on a voice vote, the motion passed.

Chairman Gunnoe addressed the Commission noting the letter from Peyton Law Firm stating that any previously submitted documentation/requests were made in error and have been rescinded and that Tornado VFD Inc is changing in name only to Westside Volunteer Fire Department, Inc. #2.

Commissioner Mongold made a motion for WVSFMO staff to send a letter requesting all that is needed for the name change and any new Fire Chief certification, 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.

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

- e. David Angus (Summersville) FO 1
- f. Jason Anderson (Pinch) FO 2
- g. Robert Waldron (Bethlehem) FO 1&2
- h. Patrick Woods (Craigsville) FO 2

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.

2) Consideration of Fire Chief Applications.

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

- h. Jason Burger (Dunbar)
- i. Tyler White (Pennsboro)
- j. Evan Aldridge (Summersville)
- k. William Huggins (Clinton District)
- l. Mark Ford (Jefferson)
- m. Joshua Myers (Keyser)
- n. James Frazier (Craigsville)

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

3) Consideration of Perfect Evaluation Recertification of Fire Departments.

- a. Beverly VFD
- b. Elkins VFD
- c. Newburg VFD
- d. Fellowsville VFD
- e. Hillsboro VFD
- f. Marlinton VFD
- g. Shaver Fork VFD

h. Bartow Frank Durbin VFD

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

4) Consideration of Recertification of Fire Departments.

- a. Lakewood VFD
- b. Davis Creek VFD
- c. Walton VFD
- d. Craigsville VFD
- e. Richwood VFD
- f. Star City VFD
- g. Triune-Halleck VFD
- h. Cyclone VFD
- i. Mount Grove VFD
- j. Aurora VFD

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

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

ASFM Scott presented his report on the departments automatically receiving 180 to achieve compliance.

- a. Harmen VFD
- b. Whitmer VFD
- c. Coalton VFD
- d. Oceana VFD
- e. Brenton VFD
- f. Burlington VFD
- g. New Creek VFD
- h. Keyser VFD
- i. Rowlesburg VFD
- j. Elk District VFD
- k. Tri Towns VFD
- l. Frost VFD
- m. Cass VFD

No Action Taken

6) Consideration of Fayette County Firefighters Association 911 Complaint.

Chairman Gunnoe provided a recap of the discussion during the Committee meeting (see Fire Department Services Committee report).

Commissioner Jones made a motion to send a Cease-and-Desist letter regarding dispatch changes made by the Fayette County 911 Director and to request the Director's presence at the December Fire Commission meeting, to the Fayette

County 911 director and copy the Fayette County Commission, the Emergency Management Director and Oak Hill VFD, seconded by Commissioner Estep. With the ayes and nays having been taken on a voice vote, the motion passed.

7) Consideration of Practical Test Points Value for Firefighter Series Certification

Chairman Gunnoe provided a recap of the discussion during the Committee meeting (see Training Committee Report). He provided some additional thoughts that perhaps the best means might be to change the testing procedure and requested the Training providers think about the pros and cons to any changes.

Commissioner Keefer made a motion requesting for the December meeting WVU FSE and PST submit a proposal on how the written tests from the modular program could be utilized within a traditional 120-hour Firefighter 1 course, seconded by Commissioner Eastham. With the ayes and nays having been taken on a voice vote.

8) Consideration of Amending Policy/Procedure to Establish a Fire Department or Fire Prevention Unit.

Chairman Gunnoe brought up the previous meetings discussion with Jefferson County regarding the policy to establish a County Fire Department/Fire Prevention Unit. He and the Commission are aware of the need for Counties to be able to supplement manpower to VFDs with paid assistance and believe the Commission has an obligation to have a clear policy of how a County could provide such supplemental service while protecting the rights of a VFD.

A discussion was held on the matter and the Commission reviewed the current Fire Department Application requirements. The item will remain on the agenda for December.

No Action Taken

9) Consideration of FY23 VFD Grant Fund Applications (list attached).

Commission George made a motion to approve the recommendations of the Grant Committee (Grant Funding Report), seconded by Commissioner Eastham. With the ayes and nays having been taken on a voice vote the motion passed.

RECURITMENT AND RETENTION:

No Report.

SPEAKERS:

Tad Dalton (Morgantown Fire Department)

CORRESPONDENCE:

Thomas Peyton, Peyton Law Firm (see Fire Department Services Committee Report)

Tim Richardson/Oak Hill Fire Department (see Fire Department Services Committee Report).

GOOD OF THE ORDER:

Commissioner Oldaker reminded the Commissioner of the Fallen Firefighter Memorial Service to be held at the Cultural Center on Sunday, October 16th, 22 at 1:00pm.

Pocahontas County High School Students Commendable Action – On August 4th, 2022 the members of Pocahontas County High School coaches and student athletes manned a lifesaving bucket brigade at a vehicle crash until Fire and Rescue arrived on scene.

Commissioner George made a motion for Staff to present Pocahontas County High School with a plaque and individual certificates for all involved, seconded by Commissioner Hart. With the ayes and nays having been taken on a voice vote, the motion passed.

Montgomery Fire Department – On August 15th, 2022, Montgomery Fire Department, along with the Fayette County Swift Water team and Smithers Fire Department made multiple difficult rescues of flood victims with no injuries to the public or responders.

TIME AND PLACE OF NEXT MEETING(S):

December Committee Meetings 10:00am Thursday, December 1st, 2022, Pipestem Resort, Pipestem WV. Commission Meeting 9:00am Friday, December 2nd, 2022 2022, Pipestem Resort, Pipestem WV.

ADJOURN:

Commissioner Eastham made a motion to adjourn at 10:30am without objection. Meeting adjourned.
