

WV STATE FIRE COMMISSION MEETING  
Bridgeport Conference Center, Bridgeport WV.

June 3rd, 2022

The official business meeting was called to order at 9:02am by Vice Chairman Doug Mongold.

ROLL CALL: by Kathryn L Burns

Commissioners Present

Steven Byers, Carl Eastham, Doug Estep, Edward George (Conference Call), Phil Hart, Brian Jones, Doug Mongold, Jim Oldaker, Ted Shriver, Virgil White, and Marshal Tyree.

Commissioners Absent

Dave Camp  
Tom Keefer  
Grant Gunnoe

It is noted Counsel Brandolyn Felton-Ernest is in attendance via conference call.

RECOGNITION

Commissioner Mongold asked for a moment of silent prayer in memoriam of John D Forbush and Dave Kelley.

APPROVAL OF MINUTES:

Commissioner Eastham made a motion to accept and approve the minutes of the April 8<sup>th</sup>, 2022, Fire Commission Meeting, seconded by Commissioner White. With the ayes and nays having been taken on a voice vote, the motion passed.

SFMO & DIVISIONAL REPORT:

Deputy Dave Blaylock gave the Fire Services Department Report

Entertained Questions – None

Marshal Tyree gave the Inspections/Plan Review Divisional Report/Investigations Report and his June 2022 report to the Commission containing staffing, legislative updates, smoke alarm install programs, status of Image Trend program, fire department funding loss updates, and the School Safety Act regarding door numbering. He also spoke of planned visits, meetings and received correspondence.

Entertained Questions.

Commissioner Shriver had a statement on door numbering. He has tried to suggest to clients a more identifiable way of numbering the doors that includes an orientation as a prefix, such as the front door that faces north would be called N-1 and is advocating to the Fire Marshal to consider the suggestion.

## COMMITTEE REPORTS:

### Fire Department Services Committee Meeting Report

Meeting Minutes

June 2nd, 2022

#### Call to Order

Commissioner Mongold called to order the regular meeting of the Fire Department Services Committee at 10:00AM on June 2<sup>nd</sup>, 2022 at Bridgeport Conference Center, Bridgeport WV.

#### Roll Call

The following commissioners were present:

Doug Mongold  
Jim Oldaker  
Phil Hart  
Brian Jones

The following commissioners were absent:

Dave Camp

It is noted that Counsel Brandolyn Felton-Ernest was in attendance via Conference Call.

#### Unfinished Business

##### 1. Update/Report on Fire Department Response Data

Assistant State Fire Marshal Bradley Scott spoke to the Committee explaining the contacts he has made with 911 and their ability to track scratch rates. Commissioner Mongold requested staff continue to work with 911 on tracking the information and report back at the August Commission Meeting.

#### New Business

##### 1. Consideration of Fire Officer Applications

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

- a. Caleb Burdette (Westside) FO 1
- b. Steven Hicks (East Bank) FO 2
- c. Nyle Whittington (Eleanor) FO 1-2

Commissioner Jones made a motion to recommend to the Full Fire Commission to approve the applications as listed, seconded by Commissioner Hart. 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. Lara Gosnell (Mathis Baker)

- b. Douglas Mitchem (Athens)
- c. Joseph Smith (Madison)
- d. Nick Bratcher (Racine)
- e. Billy Lynch (McClellan) Department Corrected
- f. Donny Lindsey (Shininston)

Commissioner Oldaker 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 presented the following Departments with perfect evaluations for recertification.

- a. Alum Creek VFD
- b. Morgantown FD
- c. Cheat Lake VFD
- d. Brookhaven VFD
- e. Cool Springs VFD
- f. Cowen VFD
- g. Hacker VFD
- h. Erbacon VFD
- i. Webster Springs VFD
- j. Masontown VFD
- k. Reedsville VFD

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

### 4. Consideration of Fire Department Recertification

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

- a. Spencer Roane VFD
- b. Keslers Cross Lanes VFD
- c. Clinton District VFD
- d. Scott Run VFD
- e. River Road VFD
- f. Waverly VFD
- g. Eastwood VFD
- h. Blennerhassett VFD
- i. Pond Creek VFD
- k. Gassaway VFD
- l. Flatwood VFD
- m. Birch River VFD
- n. East Bank VFD
- o. City of Nitro FD

Commissioner Jones made a motion to recommend to the Full Fire Commission the recertification of the listed departments, seconded by Commissioner Hart. 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.**

Assistant State Fire Marshal Bradley Scott briefed the Committee on the Departments receiving 180 days.

- a. Triune Halleck VFD
- b. Cyclone VFD

No Action Taken.

#### **6. Consideration of Lake VFD Boundary Change**

Assistant State Fire Marshal Bradley Scott presented the Committee with the new boundary maps.

A discussion was held about the size of the area being added versus the number of homes/businesses in the area.

Commissioner Jones made a motion to recommend to the Full Commission to approve the new boundary for Lake VFD, seconded by Commissioner Hart. With the ayes and nays having been taken on a voice vote, the motion passed.

#### **Other Business**

Marshal Tyree spoke about the results of a Recruitment and Retention project done in Buckhannon by a Career Tech Marketing Class on behalf of Upshur County. Flyers are being handed out to businesses and individuals that have a QR code to scan for those they would like to be contacted about joining a department. The initial results have been promising and Marshal Tyree will follow-up for more information.

Also, in lines with Recruitment and Retention Commissioner Mongold noted he would like to get someone to attend Maryland's Fireman Association Convention as they have great retention programs. He will reach out to the Association for further information.

Assistant State Fire Marshal Bradley Scott brought to the attention of the Committee the recent closure of Tornado VFD. Currently the area previously served by Tornado is being covered. The new boundary issue will be brought before the Commission at the August meeting.

#### **Adjournment**

Commissioner Hart moved to adjourn the meeting at 10:30am without objection. Meeting adjourned.

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

**Call to order**

Commissioner Eastham called to order the regular meeting of the Disciplinary Committee Meeting at 10:30am on June 2<sup>nd</sup>, 2022 at Bridgeport Conference Center, Bridgeport WV.

**Roll call**

The following commissioners were present:

Carl Eastham  
Doug Mongold  
Steven Byers  
Edward George (via conference call)  
Ted Shriver

The following commissioners were absent:

None

**Unfinished business**

None

**New business**

None

**Other business**

None

**Adjournment**

Commissioner Shriver moved to adjourn the meeting at 10:31am without objection, meeting adjourned.

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No action necessary as no business was conducted.

Training Committee Meeting Report

**Meeting Minutes**

June 2<sup>nd</sup>, 2022

**Call to order**

Commissioner White called to order the regular meeting of the Training Committee at 11:04am on June 2<sup>nd</sup>, 2022 at Bridgeport Conference Center, Bridgeport WV.

## **Roll Call**

The following commissioners were present:

Virgil White  
Jim Oldaker  
Doug Estep  
Tom Keefer (via conference call)

The following commissioners were absent:

Dave Camp

## **Unfinished Business**

### **1. Update on FireFighter Training Certification Access/Repository Program**

Deputy Chief Bailey reported on letter from WVDE about SFMO staff not being able to access the WV PST system due to it being part of the WVDE system. Staff can still reach out to PST staff to gain the necessary certifications as assured by Ms. Marshal of WV PST. SFMO staff already have access to WVU system.

### **2. Consideration of Training Material Fire Commission/Fire Marshal's Office Duties and Responsibilities.**

Deputy Chief Bailey discussed the additions he made to the Duties and Responsibilities Training powerpoint and welcomed any suggestions.

No Action Taken.

## **New business**

### **1. Consideration of Probationary FireFighter Definition – RE: HB 4608 and Title 87CSR8**

Deputy Chief Bailey presented the Committee with suggested changes being proposed in 87CSR8 for approval by the Committee.

A discussion ensued with Committee members, Staff, Training Providers, and others in attendance on the proposed changes and possible effects of the changes.

Commissioner White called for a recess for lunch at 11:57am until 1:30pm.

Commissioner White called the Training Committee back to order at 1:35pm.

The discussion resumed regarding necessary changes in 87CSR8 and the Committee requested changes in the proposal.

Commissioner Estep made a motion to recommend to the Full Commission the approval the proposed 87CSR8 with the discussed corrections and additions, seconded by Commissioner Oldaker. With the ayes and nays having been taken on a voice, the motion passed.

### **2. Discussion on FO 1&2 Certification**

Commissioner White wanted to bring to the attention of the Committee information regarding the Lexipol system. He had been approached as to whether the FO 1& 2 program would meet the requirement set by the Commission. Some departments were under the impression it would. Upon discussion it was determined it did not.

### **Other Business**

Mark Lambert of WVU FSE noted that Junior Camp will be June 18<sup>th</sup> through the 23<sup>rd</sup> and all Commissioners are invited to come by but to check in with himself or Mr. McNemar upon arrival.

Ralph McNemar of WVU FSE discussed the July 30<sup>th</sup>, Ammonia Emergency Response Training and Live-Release Drill at the Fire Academy, and a day of training and a day of hands-on hazmat tasks to be held in Kanawha County on September 24<sup>th</sup> and 25<sup>th</sup>.

During previous Commission meetings the SFMO staff was tasked with coming up an in-house repository program. Deputy Blaylock presented the Committee with a possible solution through Cognito. Upon discussion and along with some suggestions from Mike Freeman with WV PST, staff will continue to work on the item for future review.

### **Adjournment**

Commissioner Keefer moved to adjourn the meeting at 1:55pm without objection. Meeting adjourned.

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

## Legislative, and Codes Committee Meeting Report

### **Meeting Minutes**

June 2<sup>nd</sup>, 2022

### **Call to order**

Commissioner Shriver called to order the regular meeting of the Legislative and Codes meeting at 10:31am on June 2<sup>nd</sup>, 2022 at Bridgeport Conference Center, Bridgeport WV.

### **Roll call**

The following commissioners were present:

Jim Oldaker  
Brian Jones  
Ted Shriver  
Edward George (via conference call)  
Tom Keefer (via conference call)

The following commissioners were absent:

None

Counsel Brandolyn Felton-Earner is in attendance via conference call.

### **Unfinished Business**

#### **1. Update on 2020 HB 4558 (Article JJ13) VFD Tax Credit**

Marshal Tyree updated the Commission on action by the tax department and their assurance via Counsel that the necessary rule will be in place. Information is to be ready by the October Commission meeting.

No Action Taken

### **New business**

None

### **Other Business**

Marshal Tyree discussed other legislative issues of interest to the Committee. He wanted to make the Committee aware that rule 87.3 (Hazardous Substance Emergency Response Training) is due to sunset and at the minimum the sunset date will need changed. 103.3 (Fire Protection Workers), 105.5 (Electricians) will need to be addressed due to passed legislation. 87.8 will be discussed in the Training Committee. One other item to be done is to move Home Inspectors from under the Commission to under the Fire Marshal's Office. More information will be provided when available.

Randy James of the WV Fire Chiefs Association asked to address the Committee on HB 4558 (VFD Tax Credit). He shared his concerns regarding getting the necessary information to the Fire Chiefs in time for them to complete any necessary certification. He suggests getting the information out as soon as possible.

### **Adjournment**

Commissioner George moved to adjourn the meeting at 10:41am without objection. Meeting adjourned.

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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.

Grant Funding Committee Meeting Report

**Meeting Minutes**

June 2<sup>nd</sup>, 2022

**Call to order**

Commissioner Mongold called to order the meeting of the Grant Funding Committee Meeting at 2:00pm on June 2<sup>nd</sup>, 2022 at Bridgeport Conference Center, Bridgeport WV.

**Roll call**

The following commissioners were present:

Steven Byers  
Doug Estep  
Doug Mongold

Jim Oldaker

The following commissioners were absent:

Phil Hart

### **Unfinished business**

None

### **New business**

#### **1. Discussion on FY 2023 VFD Grant Fund Program**

Administrative Secretary Kathryn Burns and Deputy Chief Bailey briefed the Committee on the new Grantor's System to be used for future grant applications. The new system won't affect how the Commission handles the grant but will affect how the VFD's apply for the grant. More information will be given to the VFD's as it becomes available.

No Action Taken

### **Other Business**

None

### **Adjournment**

Commissioner Estep moved to adjourn the meeting at 2:15pm without objection. Meeting adjourned.

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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.

### **UNFINISHED BUSINESS:**

#### **1) Update on Fire Fighter Certification Repository Program**

See Training Report

No Action Taken

#### **2) Consideration of Training Material Regarding Fire Commission/Fire Marshal's Office Duties and Responsibilities.**

Commissioner White made a motion to approve the Powerpoint as presented for use by training providers, seconded by Commissioner Oldaker. 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.

- a. Caleb Burdette (Tornado) FO 1
- b. Steven Hicks (East Bank) FO 2
- c. Nyle Whittington (Eleanor) FO 1-2

Commissioner White 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.

## 2) Consideration of Fire Chief Applications.

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

- a. Lara Gosnell (Mathis Baker)
- b. Douglas Mitchem (Athens)
- c. Joseph Smith (Madison)
- d. Nick Bratcher (Racine)
- e. Billy Lynch (McClellan)
- f. Donny Lindsey (Shininston)

Commissioner Estep made a motion to approve applications as listed, seconded by Commissioner White. 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. Alum Creek VFD
- b. Morgantown FD
- c. Cheat Lake VFD
- d. Brookhaven VFD
- e. Cool Springs VFD
- f. Cowen VFD
- g. Hacker VFD
- h. Erbacon VFD
- i. Webster Springs VFD
- j. Masontown VFD
- k. Reedsville VFD

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

## 4) Consideration of Recertification of Fire Departments.

- a. Spencer Roane VFD
- b. Keslers Cross Lanes VFD
- c. Clinton District VFD
- d. Scott Run VFD
- e. River Road VFD
- f. Waverly VFD
- g. Eastwood VFD
- h. Blennerhassett VFD
- i. Pond Creek VFD
- k. Gassaway VFD
- l. Flatwood VFD
- m. Birch River VFD

- n. East Bank VFD
- o. City of Nitro FD

Commissioner Estep made a motion to recertify the listed departments, seconded by Commissioner Eastham. 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. Triune Halleck VFD
- b. Cyclone VFD

No Action Taken

**6) Consideration of Lake VFD Boundary Change**

ASFM Scott presented the Commission with the new boundary maps for Lake VFD.

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

**7) Consideration of Probationary FF Definition – Re: HB 4608 and Title 87.8**

Chief Deputy Bailey presented the proposed amended 87CSR8 to the Commission

Commissioner White made a motion to approve 87CSR8 as amended and for Counsel/Staff to make corrections/clean-up and take necessary legislative actions, seconded by Commissioner Eastham. With the ayes and nays having been taken on a voice vote, the motion passed

**8) Discussion on FO 1&2 Certification**

See Training Report

No Action Taken

**9) Discussion on FY 2023 VFD Grant Fund**

See VFD Grant Committee Report.

No Action Taken.

RECRUITMENT AND RETENTION:

See Fire Department Services – Other Business

SPEAKERS:

None scheduled

CORRESPONDENCE:

No Correspondence.

GOOD OF THE ORDER

At yesterday's training meeting - Mark Lambert of WVU FSE noted that Junior Camp will be June 18<sup>th</sup> through the 23<sup>rd</sup> and all Commissioners are invited to come by but to check in with himself or Mr. McNemar upon arrival. Ralph McNemar of WVU FSE discussed the July 30<sup>th</sup>, Ammonia Emergency Response Training and Live-Release Drill at the Fire Academy, and a day of training and a day of hands-on hazmat tasks to be held in Kanawha County on September 24<sup>th</sup> and 25<sup>th</sup>.

TIME AND PLACE OF NEXT MEETING(S):

August Committee Meetings 10:00am Thursday, August 4<sup>th</sup>, 2022 at Cacapon. Commission Meeting 9:00am Friday, August 5<sup>th</sup>, 2022 at Cacapon.

ADJOURN:

Commissioner White made a motion to adjourn at 9:44am without objection. Meeting adjourned.

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