

**Virginia Fire Services Board**

**December 2, 2011**

**Consent Agenda Package**

A. Approval Of The Minutes Of The Previous Meeting

**VIRGINIA FIRE SERVICES BOARD**  
**October 7, 2011**

A regular meeting of the Virginia Fire Services Board was held at the VDFP Headquarters in Glen Allen, VA at 9:00 a.m. Mr. Richard E. Burch Jr. served as Chair.

**BOARD MEMBERS PRESENT**

*Richard E. Burch Jr. – Full VFSB Chair – Virginia Fire Services Council*  
*James Armstrong – Vice-Chair – VA Chapter of the International Society of Fire Service Instructors*  
Thomas Moffett – Virginia Professional Firefighters Association  
William Kyger – Association of Counties  
Kenneth J. Brown – Virginia State Firefighter’s Association  
Brian Mullins – Virginia Board of Housing & Community Development  
Elaine Gall – Virginia Fire Prevention Association  
James Wheeler – Virginia Municipal League  
Robert Scott – Insurance Industry Representative  
Carl Garrison – Virginia State Forester  
Joe Wilson – Industry (SARA Title III & OSHA)  
Michael Reilly – Virginia Chapter of the International Association of Arson Investigators  
Felix Sarfo-Kantanka Jr. – General Public  
Charles Altizer – Virginia State Fire Marshal  
Edwin Smith – Virginia Fire Chiefs Association

**BOARD MEMBERS ABSENT**

**AGENCY MEMBERS PRESENT**

Billy Shelton	Dave Jolly	Angela Thompson
Brook Pittinger	Christine Lopilato	Don Hansen
Matthew Smith	Erin Rice	

**GUESTS PRESENT**

Ed Rhodes	Cathie Hutchins
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**PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE**

**ROLL CALL**

**CHANGES IN THE AGENDA**

**Consent Agenda:**

- A. Approval Of The Minutes Of The Previous Meeting
- B. Report From The VDFP Executive Director

**Unfinished Business:**

- A. No unfinished business

**New Business:**

A. Consent Agenda Process

**PUBLIC COMMENTS**

There were no public comments.

**CONSENT AGENDA**

Richard Burch requested that Item B on the Consent Agenda be removed for discussion.

**Topic: Consent Agenda**

**Motion:** To approve the Consent Agenda except for Item B.

**Discussion:** None

**Vote:** Unanimous

**Action:** Motion Carries

**A. APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING**

The Chair asked if there were any additions and/or corrections to the minutes from the August 2011 Board meeting. With no changes to the minutes, the August 13, 2011 Board meeting minutes were approved.

**B. REPORT FROM THE VDFP EXECUTIVE DIRECTOR**

Billy Shelton provided the following report:

- FY 11 ATL is 98.7% disbursed with 12 jurisdictions pending.
- FY 12 90/10 formula remains in place as does our line of credit. (58.6% disbursed on first cycle)
- 2011 Virginia Fire Information Reporting System (VFIRS) update as of September 6, 2011:

<b>Incident Type</b>	<b>Total</b>	<b>Percentage</b>
Fires	16,506	4.21
Rescue & EMS	260,046	66.33
All other calls	115,512	29.46
<b>Total Incidents</b>	<b>392,064</b>	
Aid given	23,013	
Fire exposures	263	
<b>Grand Total</b>	<b>415,340</b>	
Total Fire Injuries	487	
Total Fire Deaths	41	
Total non-fire injuries	285	
Total non-fire deaths	34	
Total Fire Dollar Loss	\$163.2 million	
Total Dollar Loss	\$173.1 million	

- Pro-Board re-accreditation inspection for the Commonwealth of Virginia is due in 2012.
- Additionally, the Executive Director relayed the fact that Agencies have been directed to prepare two, four and six percent reduction plans.

### **REPORT FROM THE COMMITTEE ON FIRE EDUCATION AND TRAINING**

Thomas Moffett provided a summary of the Committee's meeting, to include Driver Operator programs, EVOC and a discussion of training currency. Thomas Moffett reminded everyone that in regards to training currency the Committee and Board has no stance and is looking for options and feedback from stakeholders. Thomas Moffett reminded the Board members of the update to the Five Year Strategic Training Plan beginning in December with the VDFP Division Chiefs and in February with Virginia's fire service stakeholders.

### **REPORT FROM THE COMMITTEE ON FIRE PREVENTION AND CONTROL**

Elaine Gall provided highlights from the Committee's meeting, to include sharing the interpretation received regard the Kongming or Sky Lanterns, which are considered unattended recreational fires if released without some type of tether.

In addition, the Committee will be asking the Codes and Standards Subcommittee to finalize its proposed membership update and finalize updates to the Memoranda of Agreement between the Board of Housing and Community Development and the Virginia Fire Services Board regarding the cooperative development of the Statewide Fire Prevention Code by the next Board meeting.

Carl Garrison provided the Board members with a Department of Forestry 2012 office calendar.

Finally, Charles (Ed) Altizer relayed the accolades VDFP received by the Georgia State Fire Marshal regarding VDFP's Virginia's Fire Incident Reporting System (VFIRS) participation and the Annual Needs Assessment process. The Georgia State Fire Marshal will be meeting with VDFP's Data & Statistics manager to discuss Virginia's VFIRS and Needs Assessment processes.

### **REPORT FROM THE COMMITTEE ON ADMINISTRATION, POLICY & FINANCE**

The following motions were made at the Committee Meeting:

#### **Topic: Burn Building Renovation Project No-Cost Time Extension - City of Bristol**

**Motion:** To approve the City of Bristol's request for a six-month No-Cost Time Extension on their Burn Building Renovation Project with a new Project Expiration Date as April 30, 2012.

**Discussion:** The City of Bristol has submitted a request for a six-month No-Cost Time Extension for their Burn Building Renovation Project due to delays explained in their letter, see the Committee on Administration, Policy and Finance's Minutes **Enclosure 9**.

**Vote:** Unanimous

**Action:** Motion Carries

**Topic: VFIRS Hardware Grant Applications**

**Motion:** To approve the applicants for VFIRS as selected by staff for a total of \$25,000.

**Discussion:** Please note, that the Administration, Policy & Finance committee amended the Fire Prevention & Control's original motion.

**Vote:** Unanimous

**Action:** Motion Carries

**COMMENTS FROM THE CHAIRMAN, VFSB**

Richard Burch thanked everyone for attending the October Board meeting and noted that having full Board participation aides in the holistic discussion of the Board's agenda items.

**UNFINISHED BUSINESS**

No unfinished business

**NEW BUSINESS**

**Topic: Consent Agenda Process**

**Motion:** N/A

**Discussion:** Richard Burch provided the Board members with the background information on how the Board determined to start using the consent agenda process and the need to pass routine reports through the consent agenda process. The Board discussed continuing the consent agenda process and requested that in addition to sending the Board the consent agendas prior to the meeting that the Agency also post the consent agendas on-line as well. It was noted that all consent agenda items will be posted on-line, except for financial documents; personnel/confidential documents; and any attorney-client privileged documents.

The Board discussed the ability to change the schedule and lengths of meetings based on discussion items. The Board discussed the practicality of a one-day meeting except when meetings are in conjunction with stakeholder conferences.

The Board also held discussion on utilizing first and second readings for agenda items, but it was determined by the Board that at this time this would not be implemented.

The Board also discussed being transparent and not wanting to be perceived as rushing an issue and that there are advantages to the two-day meeting process.

Billy Shelton reminded the Board to be mindful that the Governor will soon announce the compression, restructuring, and elimination of boards and commissions in the near future, as part of the Government Reform and Restructuring Commission report.

The Board decided by consensus that it will continue the consent agenda process. However, the Board requested that the Agency liaison reports be removed from the consent agenda, except for the financial reports, which will remain as part of the consent agenda. In addition, the consent agendas and liaison reports will be released in advance of the meeting, with the exception of financial reports; personnel/confidential documents; and attorney-client privileged documents. Consent agenda issues that come in after the consent agendas are posted will be placed under new business for the respective committee. Additionally, during the December meeting the Board will continue this discussion as well as set the meeting schedule for the 2012 Calendar Year.

**Vote:** N/A

**Action:** N/A

**Topic: Closed Meeting of the Board**

**Motion 1:** Mr. Chairman, I Move That The Board Go Into Closed Meeting Pursuant To Section 2.2-3711(A)(7) Of The Code Of Virginia For Consultation With Legal Counsel And Briefings By Staff Members Pertaining To Actual Or Probable Litigation, And Consultation With Legal Counsel Regarding Specific Legal Matters Requiring The Provision Of Legal Advice By Counsel, Concerning: Board Policy and Aid To Localities.

**Discussion:** The closed session was requested to discuss legal issues pertaining to Board policy and Aid To Localities. The OAG for VDFP and the VFSB, Cathie Hutchins, was in attendance at the closed session.

**Vote:** Unanimous

**Action:** Motion Carries, the Board entered a Closed Meeting

**Motion 2:** I Hereby Move That The Board End Its Closed Meeting And Certify That, To The Best Of Each Member's Knowledge, (1) Only Public Business Matters Lawfully Exempted From Open Meeting Requirements By Virginia Law Were Discussed In The Closed Meeting To Which This Certification Applies, And (2) Only Such Public Business Matters As Were Identified In The Motion Convening The Closed Meeting Were Heard, Discussed Or Considered By The Board.

**Discussion:** The Board certifies that it only discussed legal issues concerning Aid To Localities, while in the Closed Meeting.

**Roll Call Vote:**

**Ayes:** Richard E. Burch Jr., James Armstrong, Thomas Moffett, William Kyger, Kenneth J. Brown, Brian Mullins, Elaine Gall, James Wheeler, Robert Scott, Carl Garrison, Joe Wilson, Michael Reilly, Felix Sarfo-Kantanka Jr., Charles Altizer, and Edwin Smith

**Nays:** None

**Absent:**

**Action:** Motion Carries, the Board certified the closure of the Closed Meeting.

**Topic: Aid To Localities**

**Motion:** For the Board to adjust the ATL denial process to include 1) a clear explanation of the denial and 2) state in the denial letter the right to appeal the decision to the Full Board is available. This becomes effective November 1, 2011. All Board members should be copied on the denial letters.

**Amendment** – The jurisdiction shall file for the notice of appeal within 14 business days of receipt of the denial letter and the Agency will provide the locality with notification of the date their appeal will be heard by the VFSB.

**Discussion:** The Agency will update the Board's Aid-To-Localities Policy and Practices documents to include the Office of Attorney General's opinion related to the usage of Aid To Localities for training/education as well as including the appeals process as discussed by the Board, to include the following:

- All denials will be given written explanation by certified mail and the Board members will be copied on the denial letters.
- Jurisdictions will have 14 business days to file a notice of appeal with the Agency by certified mail, after which the denial is final.
- Upon receipt of a notice of appeal, the Agency will schedule the appeal hearing during the next Full Board meeting, and provide the locality with notification of the date of the appeal hearing by certified mail. For example, if the next Full Board meeting will occur in less than seven business days, the appeal will be held at the following meeting.
- Additionally, if a locality is not present for its' appeal hearing and does not provide adequate and advance notice of its' absence, the denial is final.
- This Appeals Process will become effective November 1, 2011 and is not retroactive.

The updated Aid To Localities Policy and Practices documents will be on the Agenda at the December Board meeting for further discussion.

Richard Burch commented, on behalf of the Board, to Billy Shelton and the Agency that this is a business item that they share responsibility for and look forward to correcting, as well as maintaining the positive working relationship between the Board and Agency.

**Vote:** Unanimous

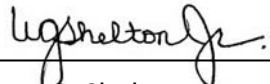
**Action:** Motion Carries

**ADJOURNMENT**

The Board adjourned at 11:34 a.m.

Clerk of the Committee  
Matthew C. Smith

**REVIEWED BY:**



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W. G. Shelton, Jr.  
Executive Director

October 14, 2011

Date

No Enclosures

DRAFT