

VIRGINIA FIRE SERVICES BOARD

Fire Prevention & Control Committee
Friday, June 4th, 2021
Hybrid Meeting utilizing Google Hangouts
1005 Technology Park Drive
Glen Allen, VA 23059
9:00am

A regular meeting of the Fire Prevention & Control Committee was held as a hybrid meeting through Google Meets and in person attendance at the Virginia Department of Fire Programs headquarters in Glen Allen. This is due to the Covid-19 State of Emergency initiated by the Honorable Ralph Northam, Governor of Virginia. Chair Ernie Little facilitated this meeting with a quorum present. Due to technical difficulties the meeting began at 9:15 a.m.

Pledge of Allegiance

The Committee and audience stood and the Chair lead the Committee in the Pledge of Allegiance. Followed by a moment of silence for fire fighters.

Meeting called to order at 9:15 a.m.

COMMITTEE MEMBERS PRESENT (3 required for quorum)

In-Person	Virtual	Board	Member
X		Keith	Johnson
X		Scott	Garber
	X	Dennis	Linaburg
	X	Robert	Farrell
Absent	Absent	Rick	Gregory
X		Ernie	Little (Chair)
3	2	TOTAL	Committee quorum (3 required)

BOARD MEMBERS PRESENT

One member of the Virginia Fire Services Board was present to observe beginning at 9:33 a.m., Chairman Walter Bailey.

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COMMITTEE MEMBERS ABSENT

Rick Gregory

GUESTS PRESENT

Jared Goff, Virginia Fire Marshall Academy
Virtual Kiah Cooper (joined the meeting near the discussion related to New Business Item A).

AGENCY MEMBERS PRESENT at the dais

Brook Pittinger
Garrett Dyer

PUBLIC COMMENTS

No guests wished to speak.

CHANGES IN THE AGENDA

Chair Little asked if there were any changes to the agenda. Hearing none from the other committee members, Chair Little added an item under new business to discuss a meeting he attended on 6/3/21 regarding the ACD 2021 Code Process for informational purposes. No Committee Members opposed the change to the agenda.

No vote held.

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CONSENT AGENDA

No Changes to the April 16, 2021 meeting minutes were noted, member Keith Johnson moved to approve the April 16, 2021 minutes with a second from Scott Garber.

Vote:

AYE	NAY	Board Member LN	Board Member FN	Fire Prevention & Control Committee	Representing
X		Farrell	Robert W.	X	Virginia Department of Forestry
X		Garber	Scott	X	Local Fire Marshal
X		Johnson	Keith	X	Virginia Fire Chiefs Association
X		Linaburg	Dennis D.	X	VA Chapter of International Association of Arson Investigators
X		Little	Ernest	X (Chair)	Virginia Fire Prevention Association

Absent	Gregory	Richard (Rick)	X	Virginia Board of Housing and Community Development
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April 16, 2021 Minutes Approved.

COMMENTS FROM THE COMMITTEE CHAIR

None

UNFINISHED BUSINESS

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A. Topic: BHCD/ VFSB Memorandum of Agreement

The Chairman introduced BHCD/ VFSB Memorandum of Agreement. The Subcommittee met last month (several members were in attendance) to review the proposed Memorandum of Agreement and staff made corrections. Document changed in the packed to the number of five business days, three, ten business days etc. The subcommittee was in favor of moving item forward. Corrected document was before the Committee. Chair Little asked if anyone had questions, hearing none, Chair Little entertained a motion to move document forward as amended to the full Board.

Motion: On a motion by Keith Johnson, seconded by Scott Garber, the VFSB Memorandum of Agreement (as amended and submitted with the meeting packet) was put forward to the full Board.

Topic Discussion: Discussion was held regarding the matter. Staff commenting were Brook Pittinger, Assistant Chief of Administration, regarding the TAC Committee and discussion of representation of Fire Services adding wording to address Fire Services representation. Chair Little made comments that the TAC Committee discussion would be brought up during new business and he mentioned that Scott Garber and Keith Johnson were both at the meeting. DHCD is trying to set up a board to address the non-consensus items before it gets to the level of DHCD actions. Keith Johnson added clarification that there is nothing in writing at this point and a proposal would be put into writing and that would be the time to comment. Chair Little stated the TAC is conceptual at this point and would be the action of the Fire Services Board and the Board of Housing. After the June 3, 2021 meeting Chair Little responded to the email site that was set up to receive comments.

Chair Little asked if there were any other questions, hearing none, called for those in favor, any asked if anyone was opposed?

During the discussion of this item, due to staff error the microphone was noted to be muted. The mic was then un-muted. Due to Interim Clerk error, the mic was turned on previously it was off from the start of the meeting.

The Chair asked if anyone was opposed to state in the chat. No opposition was stated in the chat.

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X		Farrell	Robert W.	X	Virginia Department of Forestry
X		Garber	Scott	X	Local Fire Marshal
X		Johnson	Keith	X	Virginia Fire Chiefs Association
X		Linaburg	Dennis D.	X	VA Chapter of International Association of Arson Investigators
X		Little	Ernest	X (Chair)	Virginia Fire Prevention Association
Absent		Gregory	Richard (Rick)	X	Virginia Board of Housing and Community Development

Motion Action: Motion Approved.

B. **Topic:** Statewide Fire Prevention Code Development Committee Policy and Procedures

Executive Director Dyer left the dais briefly and returned.

Chair Little introduced this item Statewide Fire Prevention Code Development Committee Policy and Procedures document associated with the MOU.

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Motion: On a motion by Scott Garber, seconded by Keith Johnson, the Statewide Fire Prevention Code Development Committee Policy and Procedures was put forward for approval.

No further discussion, no opposition stated in the chat.

Vote:

AYE	NAY	Board Member LN	Board Member FN	Fire Prevention & Control Committee	Representing
X		Farrell	Robert W.	X	Virginia Department of Forestry
X		Garber	Scott	X	Local Fire Marshal
X		Johnson	Keith	X	Virginia Fire Chiefs Association
X		Linaburg	Dennis D.	X	VA Chapter of International Association of Arson Investigators
X		Little	Ernest	X (Chair)	Virginia Fire Prevention Association
Absent		Gregory	Richard (Rick)	X	Virginia Board of Housing and Community Development

Motion Action: Motion Approved.

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New Business

A. 2018 VSFPC Supplemental USBC Information

Chair Little introduced that Andrew Millikan, Chair of the Codes and Standards Subcommittee, had been working diligently with others to develop an information document that would go along with the Statewide Fire Prevention Code which would provide some of the history of how the Statewide Fire Prevention Code has been adopted and such..

****The Chair briefly paused from regular business and took a call from the Board Clerk, Travis Rickman (who was participating off-site 23:06-23:22).***

Call disconnected and regular business of the meeting continued.

Chair Little continued background on this item. Historical information and from the IFC that was deleted from the 2018 Code standard and tables from Chapter 50 and 10 related to egress. Conceptually it is a good thing DHCD will treat this as a commentary, there is a question as to how/who will handle maintaining it. There was one proposal to ICC questions and cost \$30,000.00. Not sure if this will go forward for the 2018 Code but certainly for the 2021 Code. July 1st is the adoption for the new code and we will not be ready by that date, but the deadline to have it ready will be by next year. This is good information that fire officials and building officials need rather than using several (4 or 5) code books.

Topic Discussion:

Mr. Johnson asked Chair Little if Mr. Milliken drafted the document, whether or not the Code and Standards Sub-Committee voted to approve and checked for accuracy. Chair Little stated Andrew went over it with the Code and Standards Sub-Committee but not sure if there was an action. Executive Director Dyer discussed preliminary conversations with DHCD with Mr. Brown to advise the document was in action. Staff will collect information and circle back to see if vetted through the Code and Standards Committee sub-committee. Mr. Johnson commented he would prefer this go through the Board and this

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committee too. Chair Little and Executive Director Dyer will follow up with Andrew Millikan regarding supplemental information.

Motion Action: N/A

NEW BUSINESS

B. Topic: Discussion of June 3, 2021 ACD 2021 Code Process (Item added at discretion of Chair)

The Chairman introduced ACD 2021 Code Process Information and discussed there was a virtual meeting on June 3, 2021 with DHCD and other stakeholders regarding the 2021 Code Process. The number of amendments to the various codes which have gone up over the years since 1996 (BOCA).

By the time this gets through the process, it takes a lot of time to review the proposed changes, correlation, gather consensus, and send to the full Board. The DHCD has stated it is a lot of work and is more work than the staff available. The process works however it is not efficient. Non-consensus by one person can stop the process from going forward to the Board.

Topic Discussion:

During the discussion Robert Farrell rejoined the meeting at 9:37 a.m. (Actual Departure was not captured).

Mr. Johnson made comments that a briefing of this was presented to the Board of Housing at the last meeting and the intent is good. When we look at technical non-consensus items 10 days before the Board of Housing meeting, we receive thousands of pages of documents for code changes and most of the individuals who are receiving these changes for review are not code

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officials and not versed in the technical aspects of the code. These non-technical individuals are being asked to weigh in on subjects they may know nothing about. The object is to have a technical committee to review and vet prior to it coming to the board to provide input to the board of housing members. Someone may be knowledgeable of the code but not knowledgeable in a topic such as fair housing. Having someone review thousands of documents 10 days before action is requested when it has been a year and a half in the making is not feasible. The voting of consensus and non-consensus items should be reviewed as well. Who will vote and what are their area of expertise. You have to have a way to invite stakeholders and what does a vote mean. If an expert in the field is representing an organization vs. an individual (with their technical expertise unknown) which vote will carry more weight. There are no restrictions on the code meetings. The issue from a fire service standpoint is there needs to be an equal vote among the stakeholders: Builders, Fire Service, Energy, Fair Housing and everyone needs an equal vote.

The Chairman reiterated information related to those with knowledge of the fire code is thin. Proposal for the sprinklers and townhouses and had consensus and after testimony it created confusion and this was put into a work group rather than moving forward.

If non-consensus items are not moving through then it is a good idea for TAC. What would the TAC be, multiple disciplines and who would be on the committee? These technical experts need to be technical experts in the field: Virginia Construction Code, Architects, Building Officials and Fire Officials. It is difficult to take someone from certain National Association of Homebuilders who do not want fire sprinklers.

Mr. Johnson made comments related to the 3:3 committee. It goes to the Board of Housing, Code and Standards and then to the full Board and ends up on a 3:3 vote. The 3:3 committee usually is comprised of Fire Service Board, Board of Housing (3 each) and potentially not technical experts. If we reworked the 3:3 committee to have the technical experts or (TAC). Currently, once you get past public comment there is no way to provide input.

Robert Farrell re-joined the meeting during this portion of discussion at 9:37 a.m.

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Mr. Johnson continued with comments that the 3:3 committee needs to be reworked to allow for expert input before public comments are taken. Chair Little stated the final period should not get comments at this point as final proposal is bringing in new amendment to have a state law changed but was not part of the full process is not getting vetted properly.

Mr. Garber was asked if he had anything further to add as one of the attendees and he stated nothing to add.

Chair Little made comments related to the meeting he attended with 50 individuals. The energy code is going through a review at the ICC level currently which may have some aspects that effect the Fire Industry and the safety of homes from the Fire Industry standpoint. Political force related to the homebuilders and energy which may pose safety issues. There is concern related to the DHCD and the creation of the Technical Advisory Committee (TAC).

FINAL COMMENTS:

Mr. Johnson reviewed the letter requested at the 4/16/21 Board Meeting *to request information and correspondence regarding sub-workgroups related to the issues of Mobile Fueling, Supplemental Hardware, Townhome Sprinklers, and in-building communication to the Board of Housing and Community Development. The Chairman had asked the clerk to draft a letter to inquire about the pending sub-workgroups.*

Staff were asked if VDFP has received a response to the letter and Executive Director Dyer stated not as of this date. Chair Little mentioned his conversation with Cindy Davis and Jeff Brown and there was no response yet, no estimate of work groups being established yet. This is not the official answer however.

ADJOURNMENT

Motion to adjourn by Keith Johnson which was seconded by Scott Garber.

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X		Little	Ernest	X (Chair)	Virginia Fire Prevention Association
Absent		Gregory	Richard (Rick)	X	Virginia Board of Housing and Community Development

Motion Action: Motion Approved. The committee adjourned the Fire Prevention & Control Committee at 9:45 a.m. to September 22-25, 2021. Exact meeting date and time will be posted closer to the meeting date.

Chair Little noted the Administration, Policy and Finance Committee would begin at 10:00 a.m.

Acting Clerk of the Committee
Sherri Carneal

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REVIEWED BY:

Brook Pittinger

Approved By:

The Full Fire Prevention & Control committee approved the previous meeting minutes on September 23rd, 2021.