

VIRGINIA FIRE SERVICES BOARD

Fire Prevention and Control Committee
Thursday, September 21, 2023
Conference Room C
Hampton Roads Convention Center
1610 Coliseum Drive Hampton, Virginia 23666
2:15 PM

Minutes

A regular meeting of the Fire Prevention and Control Committee was held at the First Responder Virginia Conference. The meeting was called to order by Chair Steven Sites and a quorum was present.

COMMITTEE MEMBERS PRESENT

Steven Sites, Committee Chair – Virginia Municipal League
Ernie Little – Virginia Fire Prevention Association
Billy Hanks – Local Fire Marshal
JM Snell II – Board of Housing and Community Development
Keith Johnson – Virginia Fire Chiefs’ Association
John Miller – Department of Forestry
Dennis Linaburg – Virginia Chapter of IAAI

COMMITTEE MEMBERS ABSENT

AGENCY MEMBERS PRESENT

Billy Hux, State Fire Marshal
Will Merritt, Marketing and Communications Manager
Spencer Willett, Government Affairs Manager
Troy Bower, Assistant State Fire Marshal – Special Operations
Robert Parker, Chief Deputy State Fire Marshal – Central Region
Rusty Chase, Chief Deputy State Fire Marshal – Eastern Region

GUESTS PRESENT

CHANGES IN THE AGENDA

PUBLIC COMMENTS

CONSENT AGENDA

Motion: To approve the minutes of the previous meeting (June 2023)

Motion: Johnson, **Second:** Linaburg

Discussion on the Motion: None

Vote: Unanimous

Action: Minutes approved

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REPORT FROM THE VIRGINIA STATE FIRE MARSHAL

Billy Hux, Chief State Fire Marshal, provided a report on the State Fire Marshal's Office (SFMO). This included an update on new staff, new equipment, the FAST lab project, and legislative updates related to fire marshal law enforcement authority, additional funding, and additional positions. Chief Hux also spoke about the SFMO's attempts to create a fee through the Board of Housing and Community Development for food truck inspections. Chief Hux presented updates on the Virginia Fire Marshal Academy, including updates to the NFPA 1031 class, additional classes scheduled in 2023, and classes that are set to be held in 2024. Chief Hux also presented on the number of continuing education hours at the First Responder and Fire Rescue Conferences'.

CODES AND STANDARDS SUBCOMMITTEE

Committee Chair Steve Sites stated that no report had been submitted. Sites offered that he attended the last Codes and Standards Subcommittee meeting on September 12th and that the group met to go over next steps and plans for the next code cycle. Sites asked Ernie Little if he had anything to add. Little stated that the group discussed lithium-ion battery storage issues.

COMMENTS FROM THE COMMITTEE CHAIR

Sites thanked VFSB Chair Johnson and Vice Chair Johnston for appointing him as the committee chair. He also spoke about business for the day, including the Fire Prevention and Control Plan and the MOU between the Board of Housing and Community Development and the VFSB. He highlighted the importance of the MOU during the code development cycle. He stated that VDFP staff were working to get to a solution regarding the MOU. Sites sent an email to the Department of Housing and Community Development concerning the MOU and spoke about how utilizing the Office of the Attorney General may be examined if no answer is provided.

UNFINISHED BUSINESS

a. Fire Prevention and Control Plan Updates

Sites presented updates to the document in its initial draft. This draft included background information on the plan, the VFSB, the committee, partners in fire prevention, and data about fire prevention. He highlighted that data is only as good as is reported. Sites also outlined goals and objectives that are in the document. This could include legislative proposals over the next few years. Incident reporting and possibly making it mandatory is something that is being included in the plan. He spoke about the removal of provisions in the Statewide

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Fire Prevention Code that are making fire prevention more difficult. Sites spoke about consistent fire safety messaging across the Commonwealth of Virginia. He also spoke about lithium-ion battery safety and public safety communications related to fire prevention and control.

Hux spoke about an Office of EMS workgroup examining public safety communications. He is a member of this group for the fire service. He lauded the group for their work.

Sites outlined his intention for the plan's final approval in December. He solicited feedback from the committee members.

Keith Johnson offered to assist with the lithium-ion battery recommendation, as well as soliciting information for public safety communications.

Sites offered to include forestry information. John Miller offered to assist on behalf of the Department of Forestry and supported the opportunity to look at wildland urban interface.

b. BHCD/VFSB MOU Update

c. Update on HB 2451 Workgroup: Local Fire Marshals

Johnson asked if the draft response from DCJS had been reviewed by fire service representatives. Willett outlined the timeline issues with the Department of Criminal Justice Services (DCJS). VDFP escalated the lack of communication to the Secretary of Public Safety and Homeland Security's Office. VDFP did receive communication after this from DCJS outlining a draft report was being written and would be shared. VDFP and the fire service representatives would not support a document that did not include their review and edits. Willett reiterated that the agency had not received a draft document. Johnson spoke about the limitations on VDFP, which Willett concurred with. Johnson spoke about involving Garrett Dyer, former Executive Director of VDFP and VFSB representative to the workgroup, in crafting a response to DCJS.

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NEW BUSINESS

Sites spoke about the upcoming National Fire Academy Summit on Fire Prevention and Control. Sites and Chief State Fire Marshal Hux will be attending.

Johnson spoke about a lithium-ion battery training discussion that occurred at a Metro Chiefs meeting. Johnson stated he brought the U.S Fire Administrator to a data center to see the fire hazards and the experience was eye opening. He spoke about the recent approval of the 2021 SFPC and Building Code. He went on to speak about energy storage systems, and the need to update codes or zoning restrictions to make sure these areas are safe. He talked about the need for codes and standards to protect firefighters and citizens.

Spencer Willett outlined procedural issues related to the Codes and Standards Subcommittee of the VFSB. Willett outlined that this subcommittee is not made up of board members appointed by the Governor. The board policies, such as the Remote Participation Policy, applies to all components of the board. Willett requested comments and history on the Codes and Standards Subcommittee to create an informed proposal for the December VFSB meeting. He suggested calling the group a workgroup, rather than a subcommittee. Willett reiterated the important role the subcommittee plays.

Johnson stated it should probably be a workgroup and that this group historically does not meet the FOIA requirements. It is difficult to get this group together for 25 meetings or so without virtual meetings. Willett stated this is the exact problem because the subcommittee is considered part of the board for FOIA.

Sites asked if a policy existed on how this committee is formed. Willett stated that the Rules of Procedure outlined certain spots on the subcommittee, but little existed on its actual formation. Willett emphasized that he did not want to hide the work of the group, but it makes it much more difficult for the group to meet quickly for code development.

Sites stated that the committee should review how this group is formed and that members be approved by the VFSB. Sites spoke about his involvement in the group and how he joined and was approved by the VFSB years ago.

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ADJOURNMENT

Clerk of the Committee
Spencer R. Willett

